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QUEEN ANNE

THE MAJOR AND THE QUEEN

OR,

A Royal Grant to a Gallant Soldier

BY

S. L. MERSHON

MEMBER OF

THE NATIONAL GEOGRAPHIC SOCIETY, WASHINGTON, D. C.; NEW YORK HISTORICAL SOCIETY, NEW YORK CITY; CITY HISTORY CLUB, NEW YORK CITY; STATEN ISLAND ASSOCIATION OF ARTS AND SCIENCES, NEW BRIGHTON, S. I.; STATEN ISLAND ANTIQUARIAN SOCIETY, DONGAN HILLS, STATEN ISLAND

A STATEN ISLAND RECORD OF HISTORIC IMPORT

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Queen Anne

"Her heart was never called in question. She was a pattern of conjugal affection and fidelity, a tender mother, a warm friend, an indulgent mistress, a munificent patron, a mild and merciful prince during whose reign no subject's blood was shed for treason.

"She was certainly one of the best and most unblemished Sovereigns that ever sat upon the throne of England and well deserved the expressive though simple epithet of 'the Good Queen Ann.'"

(Smollett's History of England, Vol. 3, Page 311.)

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A TRIBUTE

The author, assuming all personal responsibility for this historic sketch, dedicates the same to his fellow officers, co-directors and all others associated with him in the duties and responsibilities connected with the American Title and Trust Company of Wilmington, Delaware.

During a long and varied experience the writer has at all times found that without an exception his co-workers in that Trust Company have been influenced by the highest ideals, have been moved by strict convictions of duty and have always stood loyal to those principles that place fidelity to duty above gain and the rights of fellow men superior to corporate and individual greed.

The author welcomes this opportunity of bearing testimony to their stern adherence to that company's motto, "Integrity of purpose, Fidelity to Trust and Equity in Practice."

The author recognizes with sincere appreciation the excellent Research Work contributed hereto, by his daughter, Miss Adelaide H. Mershon.

S. L. MERSHON.

Montclair, N. J.

HISTORIC PLACES
ON
STATEN ISLAND.

Dotted all over Staten Island; along its splendid highways, amidst its wooded hills and on its sea-swept shores, venerable historic land-marks, like sacred and holy places, make their deep appeal for love and reverence to the heart of every passing patriot.

Alluring shrines there rest upon the shoulders of the mountains, are held upon the lap of snow-white sands or are embowered amidst the groves of the forests.

Deep beaten paths made by the feet of true nature worshippers track their course to hallowed cloisters and wind their way where the embers of devotion kindle and glow.

There the *Past* like a wraith, standing in the shadows, pours in upon our minds the strange and weird stories of Colonial and Indian history. The *Present* full of the abundance of beauty and life, like a Vestal Virgin keeping alive the sacred flame, casts all about her a bewitching spell. The *Future* like the holy charm of impending motherhood, and visioning the oncoming of laughing and happy childhood, concealing herself behind golden horizons, veiled in advancing sunbeams or wrapped in wreaths of morning mists, beacons the man of vision.

At the histrionic dawn between night and day those three Immortals wave their wands. Then *Memory*

bows in reverence at the feet of the Past, *Joy* lifts its song of praise over the beauties of the Present while *Hope* cries out for higher, holier and better achievements as it bounds forward into the beckoning arms of the Future.

We wonder not therefore that under such magnetic influences, the splendid museum of the Staten Island Association of Arts and Sciences at New Brighton, the Staten Island Antiquarian Society, housed in its old Colonial headquarters, nestling among the Dongan Hills, and the choir of dear old St. Andrew's Church in Richmond, haloed by its sacred reminiscences and solemn environments, should unite in one Grand Oratorio of praise to the great *Yesterday, To-day* and *Forever.*

A quiet, thoughtful outing on Staten Island amidst such surroundings and with the windows of the mind thrown wide open to the whispers of the music and story-laden breezes, should mark an epoch in the life of the Soul.

FOUR FOUNDATION STONES.

The resplendent discovery of a newly found hemisphere crowned Columbus with immortal glory.

To John Cabot belongs the lesser but glorious record of discovering the continent of North America, while sailing under the English flag and when bearing a royal commission from the English King. He was authorized and directed to take possession in the name of the British Sovereign, of all continents and islands which might be discovered by him.

John Cabot, the navigator, laid the first of four great corner stones to English and present-day titles to lands on Staten Island which now composes the Borough of Richmond in the City of New York.

We quote them in their order of sequence. *First,* the Right of Political Sovereignty by virtue of original British discovery. *Second,* the Right of control through conquest by the force of British Arms. *Third,* the Right of Ownership because of direct purchase of the entire Island from the true owners of the soil, the American Indians. *Fourth,* the Right of Peaceable Possession conceded to the English Crown by International treaties and the actual and formal surrender of the lands to the British Sovereign by the native Indian Owners on the first day of May, sixteen hundred and seventy-one.

On this fourfold foundation rests the impregnable fortress of the true ownership of every acre of land on Staten Island. Out from beneath it flows the

Ambrose Channel Light.

He who brings truth to light never lost his fishing rod.

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centuries-old stream of lawful conveyances, which can now be clearly traced in every instance back to the one true, great fountain-spring, ownership-in-fee by the English Crown.

This heretofore "River of Doubt" has now been completely explored and its meanderings disclosed and duly recorded. Its channels have been traced and mapped so that in place of being "The Borough of Confusion as to Land Titles" it now is shown to have the clearest, most uniform and best defined basis of titles of all of the Boroughs in Greater New York.

This important discovery of a complete and perfect basis of titles to lands on Staten Island has been made after a very large expenditure of money accompanied by a vast amount of research. Its record thrills while the facts are historic landmarks.

DISCOVERY, FIDELITY AND REWARD.

John Cabot and his son Sebastian Cabot, making several voyages of discovery, sailed the Atlantic coast from Labrador to Florida and planted the Cross of St. George at prominent intervening points on the Mainland of North America, they claiming the continent for the English Crown. The territory of which Staten Island forms a part, by virtue of the discoveries made by these English Navigators, was declared to be under British sovereignty.

On September the third, sixteen hundred and nine, Henry Hudson, the discoverer of the Hudson River, entered the lower New York Bay and on the following day (September fourth) he entered the harbor of what is now New York and dropped anchor not far from the shores of Staten Island. The native Indians swarmed out in their canoes to meet him. They were fantastically arrayed in furs and feathers and were ready and eager for traffic with these pale faced strangers who had floated in between the white wings of what they thought to be "A Great Bird of the Sea." The natives offered maize and tobacco in exchange for the white man's usual trinkets carried by him for the purpose of barter with the savages.

Hudson, true to his instinct as a discoverer and explorer, immediately sent a small boat manned by five sailors, through the Narrows, to explore the country beyond. This boat coasted along the shores of Staten Island, proceeding as far as Newark Bay. On its re-

turn and for some reason unreported the sailors were attacked by what, up to that time, had been friendly Indians. The latter were manning two large canoes and John Coleman, an old and popular seaman, was killed by an arrow, shot through his neck. The dead sailor was buried by his comrades at Sandy Hook, on what has since been known as Coleman's Point.

Following this discovery by Hudson, colonization by the Dutch commenced under the Patroon system of government. Two or three "Patrooneries" were undertaken on Staten Island by the Hollanders but the same were from time to time scattered by attacks made upon them by the Raritan Indians.

Near, if not at, what is now the site of the village of Arrochar Park, was selected the site of Oude Dorp (Old Town). It was the first settlement made by Europeans on Staten Island. Authorities are uncertain as to its exact location. History states that seven Dutch cottages were there erected by settlers. These houses were constructed by the use of stones found on the shores, timber hewn in the virgin forests and mortar made of lime from the shells found in the ever present shell heaps then and until recently prevailing in abundance about the sites of the Indian villages.

The new-comers, while engaged in fur trading with the natives, settled down to a peaceful farming life. They were, however, fixed in the conviction that the Indians had few if any rights which the Dutch were bound to respect.

With the white man there always went the inevitable fire water to curse the Indians and to drench the early settlements in blood.

Governor Kieft established a distillery on the Island as a very early industry and to it swarmed the

Indians who were there initiated in the use of whiskey and from thence went forth the spirit of intoxication among these wild children of nature.

Many of the Indians, some of them much of the time under the influence of liquor furnished to them by the white men, were constantly imposed upon by the settlers. In response to such injustice they retaliated upon the innocent and guilty settlers alike.

Tribal relations were supreme and under the Indian code of ethics a wrong done to an individual Indian was a greater wrong against the tribe of which that Indian was a member and an injury done to a native by a settler marked a laxity of government for which that settler's entire colony should be held responsible.

Before the first year of colonization had passed five tribes had banded together against the new-comers because of the overbearing and unjust acts of the settlers, of which the true owners of the soil were victims. These now hostile Indians descended upon the peaceful village of Oude Dorp and burned the hamlet to the ground, massacring nearly the entire population. The few who escaped fled to a block house near to the site of the present Fort Wadsworth and from there they crossed the Narrows to Long Island.

A second time the town was built only to be again destroyed by an attack made upon it by eleven tribes of Indians banded together.

De Vries, the then Dutch Patroon of Staten Island, succeeded in making peace with the Indians and the farm houses were rebuilt in sixteen hundred and forty-four.

The following year, Henry Van Dyck discovered an Indian squaw quietly picking a few peaches in his

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HENRY VAN DYCK SHOOTING THE INDIAN SQUAW FOR PICKING A FEW PEACHES FROM HIS ORCHARD.

This cruel act resulted in the inauguration of the "Peach War."

garden, whereupon he shot her dead and what is known in local history as the "Peach War" was inaugurated.

To avenge the cruel murder of the squaw the native tribes again took to the war path. Sixty-four canoes loaded with warriors landed on the shores of Staten Island and about two thousand savages moved up against Oude Dorp. The village was completely wiped off of the face of the land and the blood of the settlers saturated the same soil which had been stained by the life blood of the poor Indian squaw. The village was annihilated. It has been said that not an identification stone now distinctly marks the place where the hamlet once stood.

De Vries, the early Dutch navigator, in the year sixteen hundred and eight had claimed the Island as a Patroon by patent from the "West India Company" which he said was the "Proprietor" of New Netherlands. He called the Indians "Non-a-tans" and the place itself as "Mononchong" or "Bad-Woods." He wrote that in sixteen hundred and thirty-eight, he anchored before Staten Island, "my property and put my people on shore." Also that "On January the fifth I sent my people to Staten Island to commence the colony and buildings." He further records that in September sixteen hundred and forty-one, "My people were murdered by the Indians of the Raritans and so my colony was smothered in its birth."

Holland understood that its fiat, granting a charter to the West India Company, authorizing it to take the Indians' land was only effective in proportion to the military and naval power that sustained it. That Company's title rested upon military power and seizure by force of arms. One historian records that "the States General of Holland insisted that the West In-

dia Company should purchase the lands of the actual Indian owners and pay them for the same," if it expected to hold and peacefully enjoy the possession of the lands.

History further states that De Vries "not being able to keep his contract with the West India Company for the establishment of a colony at his own expense all of his manorial rights reverted to the government."

In sixteen hundred and sixty-four, the English government asserted its right to all territory on the Atlantic Coast of North America between thirty degrees North latitude and fifty-eight degrees North latitude, which claim included Staten Island. The English claim was based upon the original discoveries made by John and Sebastian Cabot when representing the English government. The Cabots claimed possession in advance of any discovery made by the Dutch. King Charles the Second of England, by virtue of this claim made a grant of land to his brother James, Duke of York, who subsequently became James the Second, King of England. The Duke, backed by a powerful English fleet, asserted his claim under the Royal Grant and in sixteen hundred and sixty-four, the New Netherlands were transferred to the British Crown and became the province of New York.

Staten Island was the first territory seized by the English fleet when enforcing the claim of the English government. Immediately following the establishment of an English government in the province, the English Crown purchased Staten Island from the Indians, who were the original and true owners of its lands, and the Island became the property in fee of

the English Crown. This was in the year sixteen hundred and seventy.

The original deed made by the Indians conveying their Staten Island lands to the English Crown has been preserved and is now in a complete and perfect condition. After it had experienced remarkable vicissitudes it finally found its way to New York City. The said deed commences with the following recitation.

> "THIS INDENTURE, *made on ye thirteenth day of April in ye twenty-secondth year of the raigne of our sovereign Lord Charles the Second, by the grace of God, of England, Scotland, France and Ireland, Kinge, Defender of the Faith & in the year of our Lorde God, sixteen hundred and seventy, between the Right Honourable Francis Lovelace, Governor General under his Royall Highness James Duke of York and Albany of all of his said Territoryes in America for & on ye behalf of his said Royall Highness on the one part and Aguepo, Warrines, Minqua-Sachemack, Pemantoes, Quewaqueen, Wewanecameck & Mataris on behalf of themselves as the true Sachems, owners and lawful Indian proprietors of Staten Island and of all other Indians any way concerned therein on the other part*"—and the Indian deed further recites that the said Indians convey, *"all that Island lyeing and being in Hudson's Ryver comonly called Staten Island and by the Indians, Aquehonga Manacknong."* The Indian Grantors further declared themselves to be *"the very true sole and lawfull Indian owners of ye said Island & all & singular ye p'mises as being derived to them by their anncesters."*

By the said deed the Indians were permitted to remain on Staten Island until the first day of May of the following year when they were required to surrender the Island to such persons as the English Government should be pleased to appoint.

Thus May the first became the first general moving day established in the State of New York and the original Indian population left the shores of Staten Island in the year sixteen hundred and seventy-one having conveyed to the English Crown a perfect and complete title to all of the lands and waters in, on and about Staten Island.

A very imposing ceremony accompanied the execution and the delivery of the above mentioned deed to the representatives of the English Crown.

In order that the Indians might thoroughly understand that they were parting with their lands and their hunting grounds on Staten Island and that they were turning the same over for ever to the English sovereign, the Indians had been directed to bring and on this occasion brought samples of the soil from all parts of the Island together with branches of the trees from the various forests and delivered the same to the representatives of the English Crown. This ceremony constituted a final and complete token of the passage from one race to the other and from the native Indians to the English Crown of all rights in and to the lands the Indians had previously owned.

One historian writes that "one of the most memorable acts of Lovelace's administration was the purchase of Staten Island from the Indian Sachems who complained that they had never received full compensation from the Dutch. He quieted all their claims with a quantity of wampum, coats, kettles, guns, pow-

INDIANS SURRENDERING STATEN ISLAND TO THE REPRESENTATIVES OF THE ENGLISH CROWN.

The natives brought from all parts of the Island, samples of the soil together with branches of the trees and laid them down before the representatives of the English Crown, as a token of their conveyance of their lands to the Crown.

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der, lead, axes, hoes, and knives, and obtained a deed in behalf of the Duke of York," who represented the English Crown and who subsequently ascended the throne of England.

The true title to the present Island was taken over by the English Crown by honorable purchase from the native owners, and not by military invasion and conquest, which the deed now in existence clearly sets forth and fully proves. The original deed containing the signatures of the Indian Grantors may be seen among the State's archives at Albany.

History further shows that "In sixteen hundred and sixty-four the States General of Holland demanded of England that the boundaries of Holland's and England's possessions in America should be adjusted. Charles the Second, then King of England, rather than acknowledge any claim of the Dutch to lands in North America met the demand with a declaration of war." The ensuing conflict resulted in the establishment and recognition of English sovereignty over the lands in question. This result was clearly defined in the treaty of peace made between the two nations at the close of the war.

A work was published in London in the year sixteen hundred and seventy-one with the following profuse caption.

> "AMERICA, Being the Latest and most accurate description of the New World and collected with the most authentick authors, augmented with later observations and adorned with maps and sculptures, by John Ogilby, Esquire, His Majesty's Cosmographer, Geographick Printer and Master of Revels in the Kingdom of Ireland. London, Printed by the Author and are to be had at his house in Whitefryers, MDCLXXI."

In a chapter of that book referring to the dispute between the Dutch and the English relating to the ownership of or title to the Colonies of which Staten Island formed a part, this authority states, *"So that they were forced to waive that title and the Dutch governor submitted his plantation to His Majesty of England and to the Governor of Virginia."*

It appears that the Indians, who were in fact "the very true, sole and lawful Indian owners of ye said Island" and which "had been derived to them by their anncesters," had rather crude and forceful methods of procedure with those who undertook to establish unlawful adverse possession by trespass on their lands. They dealt drastically with those who undertook to maintain possession of their (the Red Men's) property without the payment of the full consideration price therefor and without the consent of the owners thereof and who proposed to hold possession of such ill-acquired lands if necessary by force of arms. The Indians in a most unrefined and inelegant manner strenuously and most unceremoniously evicted such interlopers. In order that such trespassers should not return and repeat the act, they slew them. Oh the tragedy of it! It was the Red Man's hour of doom and his final protest was written in blood and filed against those who would wrest from him the heritage of his fathers.

Inquiry is even yet frequently made as to whether any deeds to lands on Staten Island which were once possessed by Dutch settlers are a cloud upon the titles granted to other settlers by the Crown of England. This same inquiry is frequently recurrent as to titles in New Jersey, where far larger areas of land would

HEADQUARTERS STATEN ISLAND ASSOCIATION OF ARTS AND SCIENCES.

The museum of this association represents "one of the most complete and comprehensive local collections known."

be seriously affected thereby should there be any real merit in such claims.

Historians state that "the Indians did repeatedly sell Staten Island to the Dutch" and deeds now in existence confirm the statement that the Dutch and Indians did at various times enter into purchase and sale relations.

The fact that the Indians repeatedly deeded the same lands to the Dutch indicates uncertainty and dissatisfaction over prior deeds, at least on the part of one party thereto, and the recognition by the other party thereto of such discontent and protest.

One or more Indian signatures to a deed of conveyance to the Dutch is no final and conclusive proof that such Indians so executing such instruments had the right to sell the entire Island, or even any part thereof.

The Indians always disputed the claims of the Dutch to the ownership of Staten Island under deeds and records now extant or which are known to have existed. The Indians in their protests claimed that they had been deceived and wronged by the Dutch and that the proper consideration had never been paid to them.

The attitude of the Indians toward the Dutch was in complete contrast to their attitude toward the English purchasers. The Indians never disputed the rights of the English Crown after the deed was made by them and delivered to the English Sovereign.

The Indians were exact and punctilious in carrying into complete effect their obligations under the terms of their sale to the English. Months in advance of the time set for the departure of the Indians from the land of their forefathers the English delivered to them the full purchase price. On the day designated

in the agreement the Indians departed from Staten Island and surrendered a quiet and peaceable possession to the English Crown.

What a strange and bewildering contradiction!

The Indians who had fought wars of unutterable fierceness against the advance of the Dutch settlers now quietly and peaceably gathered together all of their earthly possessions and in strict fidelity to their treaty obligations they abandoned their villages, fishing and hunting grounds.

With stern, brave faces set toward the West they marshalled their fleets of canoes and moved out from their native haunts along the trail of the setting sun.

It was a weird sad picture but they were faithful to honor even in the decline of their power. They were not coerced by the English but as parties to an honorable compact they stood true to their treaty obligations.

This is no place to enter into a discussion of the Indians' challenge to the claims of the Dutch or the verdict of history which has been fully sustained by the courts that the English Crown's title to Staten Island was and is unimpeachable.

No Dutch Grants to lands on Staten Island are of any value whatever unless the same were subsequently legalized, confirmed or regranted by the English Crown after the English Crown had purchased the Island from the original and true Indian owners of the soil. Even in that event the value of the title so acquired by such confirmatory action on the part of the English Crown would be by virtue of the said confirmatory act of the Crown and not because of any legal or equitable value attached to the said Grant because of its Dutch origin.

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A WITCH CATCHER.

A Wild and Wayward Young Negro Woman Pointing Out the "Witches" on Manhattan Island.

This craze spread to Staten Island, where "Witches" were punished at the Whipping Post.

Indians Migrating to New Jersey and Vacating Staten Island to the English Crown, in Strict Accordance with Their Treaty Obligations.

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In support of this statement we cite the instance of the city of Newark, New Jersey, and other important cities in that state which are located on lands likewise recited in Dutch Grants as having been conveyed to certain grantees from whom present day titles did not descend. These parallel cases emphasize the basic principles upon which rests the incontestability of English Crown grants on Staten Island. We quote from recognized authorities.

"From the beginning of Colonial life in New Jersey, the attention of the settlers was mainly directed towards the adjustment of land titles and the settlement of conflicting claims."

To the soil of New Jersey, as elucidated by John Whitehead, there were four great sources of title:

"First through the Indian; then through the Dutch, thirdly those from Governor Nicolls; and lastly those from the Lords Proprietors.

"*Behind all* was the Grant from Charles the Second, claiming paramount title *by virtue of discovery* and his undoubted estate in the later colonies and parts of colonies originally granted as 'Crown Lands.'"

On Staten Island, however, the Crown in addition to the above mentioned right of prior discovery purchased the entire and complete estate of the Indians in the Island and for valuable considerations successfully and honorably induced the Indians to make complete and peaceful removal from such lands on May the first, sixteen hundred and seventy-one.

We have already noted how the Staten Island Indian not only filed his protest against the trespass on the part of the Dutch settlers but how in support of such an attitude he forcibly evicted them in a most

drastic and summary manner. We now note the re-establishment of Dutch sovereignty over the Island and its final and complete termination.

In sixteen hundred and seventy-two, France and England declared war against Holland. In sixteen hundred and seventy-three, a Dutch fleet anchored in close proximity to the shores of Staten Island. Troops were landed on Manhattan Island on the eighth day of August, sixteen hundred and seventy-three, and the city of New York was then captured by the surrender of its forts to the Dutch. The province of New York, including Staten Island and all of the Eastern part of New Jersey immediately submitted to the Dutch authorities, who by the so-called "right of conquest" acquired new political sovereignty thereto. This right of conquest *did not revive the old order of things* but as a principle of International law it established in the Dutch *a new sovereignty* from that date. New and complete forms of government were immediately instituted by Holland officials and were put into prompt effect by the Dutch authorities.

Supreme political control thereupon passed from the British government to the States General of the United Netherlands and to the Prince of Orange *by virtue of military conquest. It did not revive any prior Dutch ownership.* Former Dutch proprietorship and ownership had been previously extinguished, according to the rules of International law, when the English government had previously come into supreme and effective control.

This final and last tenure of Dutch rule was short lived. Upon the ninth day of February, sixteen hundred and seventy-four, by a treaty of peace between Holland and England, which treaty was signed at

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THE OLD PERRINE HOMESTEAD BUILT ABOUT 1668.

Headquarters of and owned by the Staten Island Antiquarian Society, Dongan Hills, Staten Island.

Westminster in England, the City of New York together with Staten Island and New Jersey, passed again under English rule. This latter transfer was publicly proclaimed in New York in July of the same year.

"Although the Dutch had ceded New York and New Jersey to the King, *it was held,*" says John Austin Stevens, "that the rights of the Duke of York *had been extinguished* by the conquest and that *restitution to the sovereign did not convey restitution to the subject.* To accomplish this purpose *the Duke obtained a new patent* for his property on Staten Island under date of June twenty-ninth, sixteen hundred and seventy-four."

This rule of non-restitution also applied with like force and effect to the Dutch grantees who found themselves similarly situated. Their rights were dependent upon their sovereign's ownership, which ownership had been terminated by conquest, according to the accepted rules of International law.

The termination of the title of the Dutch grantees was even more clearly and sharply defined, as is admitted by all authorities, from the fact that the Dutch grantees held but leaseholds from a political sovereignty which based its title upon a political control which rested exclusively upon the right of conquest.

Such a title was acquired by force of arms maintained by military power and was subject to the vicissitudes of war. The Dutch Government had proclaimed its sovereignty by fiat and had asserted it by force of arms. It likewise lost it by force of arms. It had not purchased the lands of the native owners and paid the actual Indian owners therefor as did the Crown of England. It was after the Government of

England had asserted and established political sovereignty over the Provinces that the English Crown bought from the Indians and paid the price for the lands on Staten Island. Had the Dutch been the original discoverers and had the Dutch West India Company followed the instructions of the States General of Holland and properly purchased Staten Island from the Indian owners for valuable considerations and paid the price for the lands on Staten Island and had Holland successfully maintained her sovereignty in her war with England, such titles would have held good in Dutch, English and American Courts. Each and every act recited was necessary to the obtaining by the Dutch West India Company of a good and sufficient title.

Had the Dutch complied with and performed the first two conditions and then been defeated in the appeal to arms the deeds given to settlers would have been sustained in English and American Courts, but the control by the West India Company would have forever ceased.

At that time the world powers of Europe recognized no rights of the Indians in the lands which the natives and their ancestors had occupied for centuries.

The European Governments arbitrarily decreed that the Indians were nomads and they were generally treated as such.

England's policy, however, when actually put into practice was far in advance of the theories relating to the Indians which were at that time promulgated from the Chancelleries of Europe, which theories England diplomatically recognized but would not impress.

England always acted on the policy that the Indians were the true and lawful owners of the soil they oc-

cupied. Great Britain asserted political control and sovereignty over the territory occupied by the various native tribes. This it did in behalf of humanity and commercial development. It, however, always left the Indians free to exercise an unrestrained self government and recognized their ownership of the soil on which they hunted and where their villages were erected.

This is clearly shown in the recitations in the various Indian deeds drawn and executed by the representatives of the English Crown.

It also recognized the Indians as human beings who, by the unprecedented advance and development of the dominant races, had been left her wards in the vast territories which had fallen to her lot to govern.

The Crown acknowledged that the Indians in the English colonies were a race over which the established Church of England was peculiarly bound to extend its ministry of service and uplift. Funds were freely appropriated by both Church and State for that purpose.

Pursuant to such a doctrine of Wardship and the moral responsibility incumbent upon the established Church to undertake the improvement of the mental, moral and industrial condition of the natives the State and Church labored in full accord to accomplish that result. The work of the clergy of the Church of England among the Indians was worthy of the apostles.

The natives rightly associated the Church of England with the British Government. The mighty and successful influence of that Church among the Six Nations in Central New York and among other tribes

in the Colonies bound the Indians very closely to the Government of Great Britain.

Frank, honest and straightforward were the dealings of the Civil Government of Great Britain with the Indians. Firm, generally just and humane was the treatment of them by the military officers of the English Army. The latter seem to have been imbued with a consciousness of their duty to these strange people. A new knowledge of the Great Spirit and a clearer vision of the Indians' Happy Hunting Ground were imparted to the natives by the representatives of the Church of England. England by her humane policy established a bond of allegiance and good will between herself and the aborigines.

When the Crown desired to purchase lands of the Indians it always agreed with them upon a valuable consideration. Then it exhausted every reasonable means to cause the natives to fully understand the terms of the bargain they had made and the extent of the lands which they had conveyed away to the Crown.

This was all in severe contrast to the treatment experienced by the natives at the hands of the settlers and traders and the keen minds of the Red Men differentiated between them.

When the hour of destiny struck for the separation of the Colonies from the Mother Country a majority of the Indians in the Colonies were found arrayed on the side of the Government that had been faithful to its treaties and in behalf of the established Church that had opened up to them a larger and higher vision of life.

It was only in the exceptional case that the Indians espoused the cause of the Settler.

After the English Crown had acquired the actual

title to the lands on Staten Island it made many grants of various tracts for settlement and farming purposes until it had granted about one half (½) of the Island. Then Queen Anne, the owner in fee of all of the remaining Staten Island lands, made one final, complete and comprehensive grant of all of the Crown lands on the Island to Major Lancaster Symes. This grant was made for meritorious and valuable services rendered by him to the Crown of England and to the nation for which he fought and to the Provinces in behalf of which he labored up to the close of his eventful and strenuous life.

American historians give scant attention to the remarkable record and striking personality of this loyal, heroic and commercially successful son of eminent English ancestry. Little regard has been likewise paid to the valuable properties acquired by him embracing as they did about one half (½) of Staten Island and which properties have been properly handed down to succeeding generations by this militant officer and devout Churchman highly esteemed in the Royal service.

Much might here be said as to the effect of high ideals transmitted from generation to generation in the Symes family. "Droit et Loyal" (Upright and Loyal) was one of the ringing mottoes emblazoned on the Symes family coat of arms and spread upon the walls of its manor houses. The head of a helmeted knight with visor raised was proclaimed as their token for preparedness for national defence as well as a wide open vision of life. "Upright and Loyal" was a fearless motto for a family to fling to the breeze preceding, during and succeeding the reign

of Queen Anne. Yet the Symes family placed it there and maintained it during many a stern test.

This is no place for a genealogical table but "Blood tells," and Major Lancaster Symes, who came into a large estate on Staten Island because of his fidelity to principle and defence of national existence, had the blood of true nobility coursing in his veins. He placed his life and estates many times in jeopardy so that English rights and liberties might survive. He is at least entitled to his proper place in Colonial history and in the annals of the civilization which he loyally served. He won his way into that true "Hall of Fame", the hearts of his countrymen, when he placed his all at the disposal of his country's call and stood for righteousness in days of stress and trial.

Northamptonshire in England was the seat of one of the most important branches of this distinguished family. For important services to the State one of its sons was rewarded by Charles the Second with a valuable grant of land in Wexford. He married the sister of the private secretary of King James the Second, who prior to his accession to the throne of England was James, Duke of York, to whom the Crown had granted the Province of New York. Reverend Michael Symes was a Rector of Kilcommon. From the eldest son of this Rector descended a line eminent in English ecclesiastical affairs and heroes in many of England's crucial battles in which several of the Symes family fell in fidelity to their pledge "Upright and Loyal." As this book goes to press a representative of this Symes family is said to be now fighting (if he has not fallen) in the ranks of "The Allies" true to the convictions of loyalty that seem ever to have bound this family to their native land.

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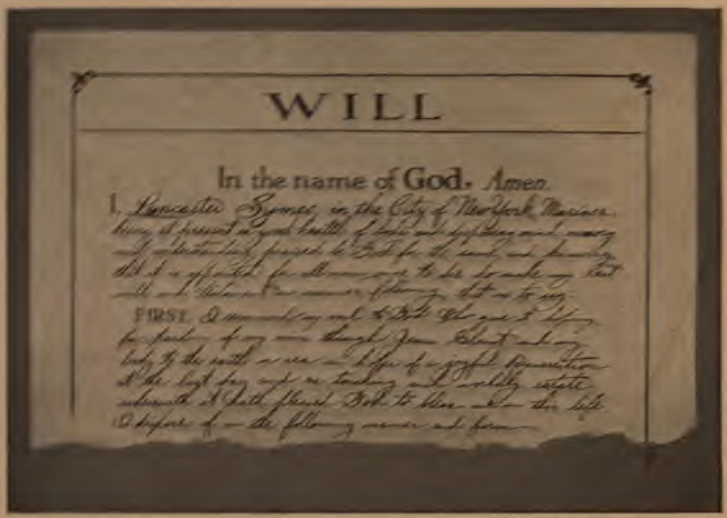
WILL

In the name of God. Amen.

I, Lancaster Symes, in the City of New York, Mariner,

FIRST,

COPY OF THE OPENING PARAGRAPHS OF THE "LAST WILL AND TESTAMENT" OF MAJOR LANCASTER SYMES.

For simplicity of faith, sublime courage and eager outlook into "the larger life" this preamble interprets itself.

It is in every respect worthy of the endower of St. Andrew's Church on Staten Island, a vestryman of Trinity Church in New York City and a Warden of St. Peter's Church in Albany.

English history relating to a Symes, whether as a statesman at Rangoon in Asia, as a soldier at the battle of Guadeloupe or wherever the Symes name appears among the clergy, in the army, or in the navy, seems to glow the brighter and become the purer because of the presence of such a life.

We wonder not then that the Crown of England, in the person of Her Majesty, Queen Anne, should have abdicated all of its rights on Staten Island to such a loyal son for his meritorious services to the Crown. We also wonder not that Major Lancaster Symes upon receiving such a grant of land as a token of Royal favor should immediately convey to St. Andrew's Church on Staten Island, land "in trust and for the use of the Church of England"; also other land for its endowment. These conveyances were made by him as a token of that deep-seated religious fervor that for generations had been typical of this "Upright and Loyal" family and which fervor had been the dynamic force in his eventful and useful life.

Extracts from the last will and testament of Major Lancaster Symes which appear herein are a fitting commentary upon the name of one worthy of the highest traditions of the Symes family. It does honor to the noble line of friends and benefactors of the beloved St. Andrew's Church at Richmond, Staten Island. The name of Lancaster Symes should be held in remembrance and high esteem by all those who regard with true emotion the best and truest influences that contributed to Colonial development in the days of the foundation work of American institutions. *Let his name be honored and his rights preserved!*

The Lancaster Symes grant to lands on Staten

Island was issued to him by the Royal owner-in-fee subject to quit rents. The rents were promptly and fully paid until the title in fee was confirmed by the State of New York to the descendants of Major Symes at the close of the War of 1812, when all quit rents ceased because of the large payment made by the Symes interests to the State of New York, in full and complete satisfaction thereof. The State of New York at that time re-confirmed the said Grant in the Symes heirs and successors as is clearly and fully shown on the public records of the State.

It is interesting to note that the Trinity Church Corporation of New York City received its grant from Queen Anne to the enormously valuable lands now owned by it and upon which St. Paul's Church now stands. This grant from Her Majesty to what was then known as the Queen's Farm was issued to Trinity Church about five years prior to the date of the Queen's Staten Island grant to Major Lancaster Symes. The phrasing of the two grants is much alike and both are similar in effect.

At about the same time the Queen was bestowing with a lavish hand her tokens of favor and aid upon many Colonial Churches. Tablets on the walls and manuscripts among the records of many now magnificent and stately American Churches bear testimony to the generosity of this gracious sovereign. A tablet on the wall of St. Andrew's Church, in Richmond, Staten Island, bears a like tribute. This tablet is reproduced and appears among the illustrations in this narrative. Queen Anne's generous gift to Trinity Church did not go unchallenged for in more recent years an attempt was made to assert claims to that property in behalf of the descendants of Anneke

TABLET IN ST. ANDREW'S CHURCH

THIS TABLET IS ON THE INNER WALLS OF ST. ANDREW'S CHURCH AT RICHMOND, STATEN ISLAND.

The "Valuable Glebe Lands" therein referred to were a gift to St. Andrew's Church from Major Lancaster Symes and not from Queen Anne, as erroneously reported.

The Queen was a munificent benefactress to the church and the tablet is a well deserved token of gratitude.

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Jans. This was done under color of an old Dutch grant. The Anneke Jans claims were defeated in the Courts by a strictly nonconformist jury and the grant made by Queen Anne was fully sustained. The genuineness of Queen Anne's Staten Island grant to Major Lancaster Symes and the basis of his deed to St. Andrew's Church on Staten Island is above and beyond all legal challenge.

Of all the multitudinous Grants and gifts made by Queen Anne to Colonial Churches not one has been successfully called into question and all have served the object for which they were intended by the Queen. Queen Anne made generous and beautiful gifts to St. Peter's Church in Albany, New York. It possesses one document of rare value and pathetic interest. It is the Crown Grant to land given to it by the English Sovereign. This instrument was issued very soon after the death of Queen Anne and was signed by King George the First who sealed it with Queen Anne's Royal seal and adorned it with the vignette of that good Queen who had passed on to be recrowned in "that Temple not made with hands, Eternal in the Heavens."

This grant, so made to St. Peter's Church, was subsequently challenged and contested in the Courts but was sustained by judicial decree.

By her grants to Trinity Church, to Major Lancaster Symes and to St. Peter's Church in Albany, the Queen, who was an enthusiastic supporter of the Established Church of England, caused a large endowment to Trinity Church, St. Paul's Church, St. Andrew's Church and St. Peter's Church. All of these powerful Churches are now connected with and are included in sister dioceses and have been a tremendous

influence in the development of the best elements in American citizenship.

The one supreme development in the reign of King James the First (1611, A. D.), a predecessor to Queen Anne on the throne of England, was the translation, publication and delivery to the world of King James' edition of the Bible. This edition is recognized by scholars as the great masterpiece of English literature. It has had greater influence upon human thought and action than any other work ever issued from the printing press.

A free Bible in wide general circulation resulted in intense mental activity followed by tremendous events. Finally William and Mary came to the throne, the exemplars of religious liberty. The public sought places of worship but there was a dire lack of Churches in England. At that crisis Queen Anne was crowned. She assumed the sceptre with a heart charged with zeal for Church erection.

The phenomenal development in the reign of Queen Anne was the erection of houses of worship in which King James' edition of the Bible was to be the accepted authority of Divine revelation. Correlated to this unique work of the Queen in England and important factors in this great undertaking were the Churches located at strategic points in the provinces.

The chartering, establishment and endowment by her Majesty Queen Anne of an important group of Churches in America was but a part of a great and successful effort on the part of the Queen for the development of powerful religious agencies in her realm, especially in and about both the city of London, the Royal city of England, and the city of New York

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St. Peter's Church, Albany, N. Y.

Major Lancaster Symes when a member of the Colonial Assembly at Albany was an active, earnest and efficient warden of this church. Then it was weak and dependent, now it is powerful and the mother of mighty benefactions.

This church was erected on land conveyed to it by an English Crown Grant.

which was destined to become the Imperial City of the new continent.

She included in her gifts Churches in Boston, Albany, Philadelphia and she also scattered tokens of her interest and zeal in Maryland, Virginia, Carolina and other States.

Through the Queen's influence and under her Majesty's direct guidance, the English parliament in the tenth year of her reign passed an act for the erection of over fifty houses of worship in the city of London and its immediate suburbs. Under the devoted leadership of this Queen a renewed inspiration seized upon the divinely endowed genius of Sir Christopher Wren, Thenbrugh, James Gibbs, Thomas Archer and others, who dedicated or rededicated their rare talents to the designing and construction of houses of worship. Many of the most revered Churches now in London, such as St. Martin's-in-the-Fields, St. Mary's-in-the Strand, and St. John's-the-Evangelist, became, with the above-mentioned group of American Churches, shrines that have not only evidenced their divine call for centuries but will continue their constant and powerful mission as generation after generation continues to pass on into the Great Beyond. Grand old St. Paul's Cathedral in London reached its mighty and glorious climax in this epoch of Queen Anne's unique reign.

The Queen's selection of true and loyal subjects to aid and assist her in the development of moral influences throughout her realm is an interesting subject of inquiry. From the evidence at hand we are in no wise surprised to find, included in that group, Major Lancaster Symes of the vestry of Trinity Church and later a warden of St. Peter's Church in Albany,

one of the patrons approved by the Queen for the Colonies.

Major Lancaster Symes arrived in New York from England on the ship Beaver on the twenty-eighth day of January, sixteen hundred and ninety. He was at that time an ensign in the company of infantry commanded by his brother-in-law, Richard Ingoldesby. This company was a part of the escort sent with Colonel Henry Sloughter when the latter appeared with his commission as governor of the province of New York. Major (then Ensign) Symes' first public act was the demand made by himself, Counsellor Brooks and Lieutenant Shanks, for the surrender to Governor Ingoldesby of the fort of New York. Ensign Symes' services to Governor Sloughter and the Crown were highly approved.

In sixteen hundred and ninety-one, Governor Sloughter wrote to the committee of Foreign Plantations in London, as follows, "Lieutenant Wildborough is dead. I have commissioned one, Lancaster Simmes in his stead, he is one that came from England with us, a good soldier and diligent in business therefore pray he may be allowed." On the same day Governor Sloughter, in writing to the Duke of Bolton, said, "Major Ingoldesby and myself humbly beg your Grace's favor that Lancaster Simmes may be confirmed Lieftennant instead of Lieftennant Wildboare, who dyed at sea. Simmes came over with the Major; he is a soldier and qualified in every respect."

In the year sixteen hundred and ninety-two, and the early part of sixteen hundred and ninety-three, the then Lieutenant Symes was stationed at Albany from whence he hastened with troops, provisions and ammunition for the relief of Major Peter Schuyler

Major Symes Purchasing a Negro Boy from Captain Kidd, Thereby Releasing Him from Slavery to That Pirate.

(the adopted "beloved brother Quider" of the Six Nations) who was then in pursuit of the French and Indians on the latter's retreat from the Mohawk Valley. History says that Major "Symes arrived with his men at a very opportune moment." At the close of the Mohawk Valley Campaign Symes returned to the City of New York and was sent in the following May to Suffolk County on Long Island in an unsuccessful attempt to enlist in that county its quota of troops which had been ordered to Albany.

On one occasion upon the arrival in New York harbor of the historic Captain Kidd there was discovered in that Pirate's possession a very bright, active and naturally intelligent negro boy who was held by him as a slave. The boy was promptly purchased by Major Lancaster Symes in September sixteen hundred and ninety-nine, for fifteen pounds sterling (£15.). The boy was thereby released from the mastery of that notorious rover of the seas.

The then Lieutenant Symes' active and efficient support to the administration of Governor Sloughter and his successor, rendered him objectionable to the Leislerian party who came into power on the advent of the Earl of Bellamont. This nobleman relieved Symes from command as a lieutenant of Major Ingoldesby's company of fusileers, on the misleading charge that Lieutenant Symes had overstayed his leave of absence from Albany when, in fact, the Lieutenant was elsewhere on the King's business. Following this manifestly unjust action Lieutenant Symes became one of a group of petitioners to the King denouncing the administration of Bellamont and the latter's injustice to them.

Trinity Church at that time was openly and

avowedly anti-Leisler. Immediately after Lieutenant Symes was relieved from military command by the Earl of Bellamont, the gallant and fearless officer Symes was elected a member of the vestry of that Church, which office he very satisfactorily and efficiently filled from the close of sixteen hundred and ninety-eight to seventeen hundred and four and then again in seventeen hundred and five.

In seventeen hundred and one, and in seventeen hundred and two, pending the bitter political controversy then raging in the Kingdom and the previously mentioned appeal to the Throne, Lancaster Symes with Robert Walters, Cornelius De Peyster, Colonel Caleb Heathcote, Matthew Clarkson (two of whom appear on the vestry roll of Trinity Church) and others, obtained a Crown grant for upwards of five thousand (5,000) acres of land in Westchester County, New York, which tract was subsequently known as the West patent of Northcastle. In seventeen hundred and three, Major Symes became one of the grantees in the Minnisinck patent, in Orange County, New York. In seventeen hundred and seven, he secured a grant of land in the town of Monroe, Orange County. In seventeen hundred and eight, he secured a grant of land in Clarkstown, near Haverstraw, in Rockland County, New York. On October twenty-seventh, seventeen hundred and eight, Symes received his grant to lands and other rights on Staten Island, and in seventeen hundred and nine, he acquired a one eighth (⅛) interest in six thousand five hundred (6,500) acres of land situated in Orange and Ulster Counties.

The events portrayed herein have had a momentous bearing upon the ecclesiastical history not only of New York City but of the nation.

MAJOR LANCASTER SYMES WAS FOR MANY YEARS A VESTRYMAN OF TRINITY CHURCH.

Who does not know and understand the towering history, wide outreach and deep influence increasing from generation to generation, of Trinity Protestant Episcopal Church of New York City? To such the following narrated facts will be of especial interest as they vision before the mind the gracious and good Queen Anne and the upright and loyal Major Lancaster Symes. They appear together as important actors in a religious drama, certain scenes of which are staged in the province of New York and in which they both played their parts so well that history doth write their names in letters of gold and as we read the account our hearts are moved in gratitude to the Major and in praise of the Queen.

In the years sixteen hundred and ninety-nine, seventeen hundred, seventeen hundred and one, seventeen hundred and two and seventeen hundred and three, and then again in seventeen hundred and five, the then Lieutenant Lancaster Symes sat an honored and beloved vestryman in the counsels of Trinity Church of New York City.

During that period Major Svmes was associated with the following vestrymen:

THOS. WENHAM, *Member of the King's Council.*
WILLIAM MORRIS, *Chief Justice of the Province.*
JOHN TUDOR, *Recorder of New York.*
WILLIAM MERRET, *Member of Council, member of Assembly and mayor of New York City.*
DAVID JAMISON, *Attorney General of the Province.*
WILLIAM NICOLL, *Associate Judge and repeatedly speaker of The House of Assembly.*
MATTHEW CLARKSON, *Ex-secretary of the Province.*
ROB'T LETTICE HOOPER, *Colonel in the English Army.*

WILLIAM SHARPAS, *Member of the Council.*
COLONEL ROBERT LURTING, *Who became mayor of New York City.*
COLONEL CALEB HEATHCOTE, *Who became mayor of New York City.*
WILLIAM PEARTREE, *Mayor of New York City.*
SAMPSON SHELTON BROUGHTON, *City Recorder and Attorney General of the Province.*
THOMAS CLARKE, *Secretary of the Province.*
M. BICKLEY, *Attorney General of the Province.*

From an old record we select the following tribute paid by the eminent Rector of Trinity Church, Reverend William Berrian, D.D., to the Vestry, who so earnestly and successfully labored, not only for Trinity Church, but for the upbuilding of the intellectual and spiritual life of the mighty nation that was yet to be.

"Whose (Trinity's) concerns they have managed with so much prudence, whose wealth they have dispensed with so much liberality and whose rights and privileges they have at all times so conscientiously and manfully defended" and those who "adorned the age in which they lived."

Surely this was a remarkable procession of remarkable men engaged in a remarkable work.

Thereafter events of mighty import to Trinity Church and the Province come trooping in one following another, or better, like link after link of a golden chain they ran a line forward and left a trail backward that marked a Royal highway from a noble past through a toilsome present and on toward a glorious future.

At that strategic pass in the rough mountains of

Colonial history there stood in the midst of a group of noble souls that militant army officer and Christian knight, Major Lancaster Symes, who with a soldier's courage and a true Christian's zeal became with his associates a mighty influence in this niche of time. Major Symes was, according to the Queen's own statement, a "much beloved subject." He was also a very active vestryman in the Queen's much beloved Church of England.

We note as a further evidence of the confidence and high esteem with which Major Lancaster Symes was held in the Province both as to his character and business ability, that he was the executor of the estate of Colonel Richard Ingoldesby who was the Lieutenant-Governor of the province in the years seventeen hundred and nine and seventeen hundred and ten. He was appointed executor, pursuant to the ante mortem request of Col. Richard Ingoldesby.

Major Symes was also the designated executor of the will of David Gallant, settling his estate in seventeen hundred and ten. He was also the administrator and the principal creditor of the estate of James Battersby in seventeen hundred and fifteen, and was likewise, pursuant to the terms of a will, the executor of the estate of John Buckler, in seventeen hundred and nineteen.

The confidence shown in Major Symes was doubtless inspired, not only by his success in building up his own private fortune, his position in the vestry of Trinity Church, but also because of his record as public appraiser of the City of New York, to which he was appointed in seventeen hundred and four. The public also knew of his excellent army record and his

profound interest in the moral and educational development of the public.

The conclusive proof of Major Lancaster Symes' eminent standing in the community in which he resided and in the Province which he served was "conferring upon him the freedom of the City." This high honor was also conferred upon his son Lancaster Symes 2nd, after the death of the Major.

Queene Anne, "the religious Queen," had inaugurated a great work for religious expansion in the British realm as elsewhere referred to herein. Major Symes as a man of affairs, was fully conversant with the character of the Queen and her enthusiasm in behalf of the Church of England. He was a vestryman of Trinity Church. He was also well acquainted at that time with Trinity Church's peculiar needs and the needs of the province for just such a Church.

There are modern students of history who have sought to discover the special influences that directed the Queen's attention to the needs of the Church in the Colonies and the causes for Queen Anne's royal endowment of Trinity Church and found them not. Did they first look into the record of the vestry of Trinity Church and there become acquainted with the history of the Queen's esteemed and loyal servant Major Lancaster Symes? Did they there read the lines and between the lines and interpret the facts?

To follow out that line of inquiry is very pertinent. Lancaster Symes the vestryman was the object of the Queen's esteem, as the entire vestry doubtless possessed her supreme confidence. He was by nature as well as officially in deep sympathy with the needs of Trinity Church, and of the Province in general. He well knew the religious enthusiasm and worthy am-

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[illegible] by Queen Anne to

bition of the Queen. She was overwhelmed at that time with the dire need of London for enlarged facilities for religious worship because of the interest awakened by the then recent rapid development of religious knowledge and liberty throughout England and Scotland.

In response to popular demand and in accord with her own religious zeal she was in the midst of preparations for one of the greatest Church building campaigns recorded in the world's history. Suddenly she became in some special manner aware of the requirements of Trinity Church in far away New York City across the then almost appalling Atlantic. Who was the most probable representative to impress the needs of that particular Church upon the attention of the Queen? Was it not the one vestryman who was already admitted into the confidence of the Queen and who was the known champion of the Crown and the Church? The application to her for a Grant to Trinity Church of the "Queen's Farm" was made by the entire official body, all of whom were worthy of the equal confidence of the sovereign. To which one in that noble group may be attributed the genius that inspired the petition and the chief influence that produced the result?

At that time the Churches in the Colony had a powerful and intensely earnest friend in Reverend Thomas Bray who eloquently presented their needs in London. An inquiry into the life and efforts of that great and good man discloses his special concern in and anxiety for the Church in Maryland and neighbor States though he did have sympathy with an est in all. His pleas were specially directed,

in behalf of the Churches in proximity to the Chesapeake Bay.

There was one very peculiar and strong reason why the Queen had a special willingness to listen to any appeal from Major Symes in behalf of Trinity Church and to also richly provide for him. When Queen Anne came to power she found the famous protest from Major Symes and others against the reckless and improper administration of affairs in the Colony. She also then discovered the bitter persecution which he had endured because of his loyalty to his convictions and to the Church of England which she so dearly loved. We refer to the time when the Earl of Bellamont sought by charges to, and did for a time, sadly reflect upon his fidelity to the Crown.

Major Symes was a vestryman of Trinity Church from sixteen hundred and ninety-nine to seventeen hundred and four, but in seventeen hundred and four he retired from the vestry, returning in seventeen hundred and five. In the latter year the Queen gave to Trinity Church the magnificent property called "'The Queen's Farms,' extending from Fulton Street to Christopher Street and from Broadway to the Hudson River." It appears more than probable that this servant of the Queen and the Church was a powerful influence among his brethren in their presentation of the needs of Trinity to the Queen, which presentation resulted in the royal gift.

Major Symes had not only served the Crown in times of peace as well as in times of war but he had also suffered humiliating persecution in behalf of the Queen's beloved Church of England.

He was a favorite with Colonel Heathcote, a potent influence with the Crown. He was also a close per-

sonal friend and was on the military staff of Edward Hyde, a cousin of Queen Anne, who was Lord Cornbury the governor of New York, and who subsequently became the Earl of Clarendon. The intimate friendship between Major Symes and the Cousin of the Queen, Lord Cornbury the governor of New York, was evidenced by a very substantial token when Lord Cornbury became personally involved in financial troubles upon his retirement from the governorship and when his body was held in the Colonies for debt. He was not allowed to leave the province, on the death of his father, to become the Earl of Clarendon until his friend Major Symes had generously paid all of his financial obligations.

Queen Anne and Lord Cornbury, the governor of New York, were both grandchildren of Edward Hyde the first Earl of Clarendon. It was Lord Cornbury, the Queen's cousin, who issued the grant of the Queen's Farm to Trinity Church in the name of Queen Anne. This grant was made by Lord Cornbury to Trinity Church prior to the loans made by Major Symes to him. It was, however, the bond of friendship between Lord Cornbury and Major Symes that induced the loans and the record of such loans is a substantial evidence of the strength of that friendship.

The Queen's proclamations frequently refer to Lord Cornbury as her "dearly beloved Cousin." Major Symes was his bosom friend and a vestryman of Trinity Church. It was this friend of Major Symes that passed upon, approved and in fact made the grant to Trinity Church. It would be inconceivable that these two close friends should never have discussed between themselves the needs of Trinity Church.

Furthermore it was after Major Symes had made his deeds of land to St. Andrew's Church on Staten Island, "in trust and for the use of the Church of England," and for glebe lands that Queen Anne declared in a Royal proclamation that she was induced to bestow her Royal gifts upon St. Andrew's Church because of the generous benefactions made to it by some of her "beloved subjects," among whom to a generous degree we find Major Lancaster Symes.

Major Symes' personal influence with Queen Anne and her confidence in him and the Churches with which he was connected may reasonably be inferred from the fact that it was after he became identified with and later when he became a warden of St. Peter's Church at Albany that the Queen's benefactions were bestowed upon it. He was one of its two wardens to solicit a Rector from London, why not one to seek a Crown Grant in its behalf, he being so well known and beloved by the Queen?

The Queen, however, did not either commence or stop with Church endowments in gracious treatment of Major Symes. She forgot not the personal and financial welfare of her faithful servant who had uppermost in his heart the interests of the Crown and the cause of religion. This is plainly evident from the several valuable grants made by her to Major Symes, prior and subsequent to her grant to him of the lands on Staten Island.

In seventeen hundred and eight, only three years subsequent to the Queen's grant of the "Queen's Farm" to Trinity Church, a very short period in view of the many voyages necessary between the two continents on such an important matter, there appeared in America a Royal Crown Grant from her Majesty to

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In 1711, the year in which St. Andrew's Church was completed, Major Symes presented to it a deed conveying to the church 133 acres of land on Staten Island "for the use of the Church of England," also 26 acres of land for its glebe use.

her "Loving Subject" Major Lancaster Symes. This grant closed out to him all of the Queen's lands and rights on Staten Island as is clearly shown of record.

At that time a lone missionary, commissioned by the "Society for the Propagation of the Gospel in Foreign Parts" with its headquarters in London and representing the Established Church of England, was laboring as best he could on Staten Island. Immediately, however, upon Major Symes receiving his grant to all of the Queen's lands and rights on Staten Island (1708), the St. Andrew's Church Parish on Staten Island was founded. Major Symes received in one hand the grant to all of the Queen's lands on Staten Island and with his other hand he immediately commenced to co-operate with the other worthy and generous founders in laying the foundations of St. Andrew's parish, which was and is destined to be an ever increasing and uplifting influence.

The Queen gave a Royal Charter to St. Andrew's Church on Staten Island in 1713, five years after she had closed out to Major Symes all of her property interests on the Island. The Church was to pay her annually at the New York Custom House, "one pepper corn and two shillings and six pence." It was purely a nominal quit rent under the Royal charter for a Church of England parish. Major Symes was to pay ten shillings as a quit rent for the conveyance of the Queen's lands on Staten Island to him and to his heirs and assigns forever.

Promptly following the founding of St. Andrew's Church in seventeen hundred and eight, the work of Church construction was commenced and carried forward by the friends and supporters of the undertaking. The first St. Andrew's Church building was

completed in seventeen hundred and eleven. On the twenty-fifth day of July, of that same year, (1711) Major Symes executed and delivered a deed to the St. Andrew's Church Corporation, conveying to it one hundred and thirty-three (133) acres of land on Staten Island "in trust and for the use of the Church of England."

The deed given by Major Symes expressly provides that the 133 acre tract should be held "in trust and for the use of the Church of England." He conveyed by the same deed to the same Church an additional twenty-six (26) acres of land which under the terms of the deed the St. Andrew's Church Corporation was privileged to exchange for other land if it so desired. Under this deed Major Symes presented to the Parish a large tract for its Church and parish purposes together with a substantial acreage for glebe lands. The one deed for these two tracts of property was withheld from record by the St. Andrew's Church Corporation until seventeen hundred and eighteen. It was put to record in 1718, probably prompted thereto by the recording that year of the documents relating to the bequest to St. Andrew's Church of an additional 200 acres located in Castleton and bequeathed to it by Ellis Duxbury.

The Church building, furnishings and lands were formally presented by Queen Anne "as head of the realm and church" to the parish in seventeen hundred and thirteen which is the date inscribed upon the tablet now on the inner wall of St. Andrew's Church on Staten Island. This tablet is reproduced herein. It will be observed that it recites that the Church with valuable glebe lands, a Church bell, together with a silver Communion Set, were presented to the Parish

by the good Queen Anne, the head of the realm. Is this an error in tradition as to the glebe lands or did the generous heart of Major Symes in deep appreciation for the notable gifts of the Queen to Trinity Church, of which Major Symes was a vestryman, her generous benefaction to Major Symes in presenting to him her extensive land ownerships on Staten Island together with other grants made by the Queen to him cause him to permit the presentation of the deeds of the lands to St. Andrew's Church to be made in her name?

It would appear from this tablet that the presentation was so made though the lands (excepting about ½ acre) were given by Major Symes. The Queen presented a highly prized Church bell, a very beautiful silver Communion Service, a prayer book and a pulpit cover adorned with her name, all of which she had forwarded to the Church from London but Major Lancaster Symes presented the land (excepting the ½ acre) as Staten Island official records fully disclose.

In seventeen hundred and thirteen, the Queen was not an owner of a foot of land on Staten Island and could not have presented the St. Andrew's Church site and the glebe lands to the St. Andrew's Church Corporation without a prior purchase by her of the lands in question, which purchase she did not make.

St. Andrew's Church as originally erected was a very handsome stone structure. Seven thousand pounds (£7,000) sterling were contributed by the public towards the expense of construction and furnishings. The lime, stone and timber required in the edifice, and also in the erection of a very comfortable rectory, were subscribed and delivered by members

of the community and settlers in New Jersey and Pennsylvania, which gifts, combined with the money mentioned and the land gratuitously deeded, made St. Andrew's corporation the owner of a very attractive, appropriate and complete Church property.

The deed from Major Symes to St. Andrew's Church for lands on Staten Island was dated *July twenty-fifth, seventeen hundred and eleven.* William Tillyer and Mary, his wife, gave a deed to St. Andrew's Church dated *August the sixth, seventeen hundred and eleven.* The Tillyer plot of land was of a very small area (about ½ acre) and was according to one theory probably conveyed to adjust the boundary lines or to make more symmetrical the plot conveyed by Major Symes for the Church site.

Another theory, however, may be advanced which appears readily demonstrable from the facts before us. It is a fully accepted historical fact that Major Symes deeded to St. Andrew's Church two tracts of land hereinbefore referred to involving a total gift by him to that Church of 159 acres.

The map of Crown grants clearly, shows that Major Symes owned the land South and West of the land granted by the Crown of England to William Tillyer on November 2nd, 1696. The Old Mill Road is now the Northern line of the St. Andrew's Church site property. It would appear that this Road was originally opened a few feet North of and parallel to the South line of the Tillyer land, thereby leaving a small piece of Tillyer's land on the South side of the Old Mill Road, of approximately half an acre. This strip of land constitutes a small plot at the South-West corner of the intersection of the Richmond Hill

SITE OF OLD FORT SCHUYLER, UTICA, N. Y.

This Cannon and Flag Pole mark the site of the old fort at Utica, named after Col. Peter Schuyler, of Albany, N. Y.

He was called by the Indians their "Beloved Brother Quider."

"Beloved, because they loved him."

"Brother, as a stronger expression of their love."

"Quider, because that was as near as the Indians could come to pronouncing the name, Peter."

It was to the rescue of this Col. Peter Schuyler that Maj. Lancaster Symes hastened during the Mohawk Valley Campaign against the French.

"He arrived at a very opportune moment."

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ASTOR, LENOX AND
TILDEN FOUNDATIONS
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Road and the Old Mill Road and was between the Symes land and the highway. It was on this site that the St. Andrew's Church Corporation desired to and did subsequently build St. Andrew's Church and locate its graveyard. In order that the St. Andrew's Church Corporation might avail itself of this valued site it was desirable that this small plot belonging to the Tillyers should be conveyed to the Church.

A few days subsequent to the gift by Major Symes, of the two large tracts of land to the Church and probably inspired by that gift, William Tillyer and his wife conveyed to St. Andrew's Church the small piece of land which lay on the South side of the Road. It is therefore perfectly reasonable to deduce the conclusion that St. Andrew's Church stands and its graveyard is now located on lands formerly owned by Major Lancaster Symes excepting only the small plot of about half an acre acquired by it from William Tillyer and his wife. By this conveyance from the Tillyers the Church is located at the junction of the Old Mill Road, the Richmond Hill Road and the Fresh Kills Road.

While no official statement is made regarding this matter by the Title Company now owning the Symes lands the foregoing is deemed by it to be a consistent explanation.

It appears that in some way, probably because of the lapse of time and the many changes in official administration of the affairs of St. Andrew's Church, one plot of twenty-six (26) acres of land originally conveyed to it by Major Symes has been to a degree lost to sight. If this be true, it is more than possible, in fact it is quite probable that its re-discovery

will soon be made and will disclose very substantial values now unconsciously owned by the Church.

The present owner of the Symes interests on Staten Island is in complete sympathy with and recognizes the original intent on the part of Major Symes to endow St. Andrew's Church by this gift of lands. From the information in its possession it believes that it is in a position and if necessary it is quite disposed to protect and defend the said Church in a quiet and peaceable possession of all of the property now occupied by it as its Church site. It further believes that it may even yet be able to disclose to St. Andrew's Church the location of the twenty-six (26) acre tract of which the present site of the Church may or may not be a part according as the proofs may develop from its records. In either event the present owner considers itself charged with the moral responsibility of co-operating with the proper parties so that the endowment made by the original head of the Symes Estate shall not be in any degree defeated. The resources at its command will be freely used if required to sustain St. Andrew's Church in the re-discovery of any lost lands and in the peaceable possession and enjoyment thereof.

The fact that the Major Symes' deed to St. Andrew's Church *was not recorded* until seventeen hundred and *eighteen* has given rise to an erroneous tradition. It was evidently taken for granted by the casual observer that the Symes gift of land was made in seventeen hundred and eighteen, the date of public record, instead of on July twenty-fifth, seventeen hundred and eleven, the date of its delivery. *The Symes deed was the first deed given to St. Andrew's Church.*

The day will come and we trust not long hence when a broad avenue, a public park or far better yet an additional endowment will be made to St. Andrew's Church and the same will be dedicated to the honor and in the memory of Major Lancaster Symes, the largest land owner, one of the noblest characters as well as one of the greatest benefactors ever identified with and interested in the moral development of Staten Island.

It is important to note the details of the Symes deed to St. Andrew's Church. It was executed and delivered on the twenty-fifth day of July, seventeen hundred and eleven. Major Lancaster Symes made the deed for *two* (2) *pieces* of property on Staten Island, he thereby conveying both pieces to the St. Andrew's Church Corporation. One plot so conveyed was for one hundred and thirty-three (133) acres, "for the use of the Church of England," the other was for twenty-six acres, the same deed consenting that the twenty-six acres might be "exchanged" for other lands if the Church authorities desired.

That Major Symes took personal and formal possession of his property on Staten Island is beyond successful challenge.

It is clearly shown of record that Major Symes upon the execution of the said deed and its delivery was personally at the property near Richmond. This is confirmed by proof from official English sources. He was accompanied by his attorney and counsellor, Adolphus Phillips, and was likewise accompanied by Captain Ebenezer Wilson, a vestryman of Trinity Church, and Peter Faulconer, two business friends of Lancaster Symes and who were at that time mer-

chants of considerable prominence in New York City. Their names appear in other records of his transactions as well as in connection with important events in the history of New York City relating to that period. The two pieces of property referred to were at the time of their conveyance personally selected by Major Lancaster Symes from the lands granted to him three years previously by the English Crown. They consisted of two separate and distinct pieces of property. The single deed for both properties was drawn by his counsellor, Adolphus Phillips.

St. Andrew's Church which had not then actually received its official charter from the Crown, was a local organization. Its vestrymen and others connected with it resided in and about Richmond and in the neighborhood of the properties so conveyed by Major Symes to St. Andrew's Church. They, as neighbors, residing in close proximity to the lands involved, accepted both properties with a personal knowledge of their respective locations and of surrounding circumstances and knowing of Major Symes' ownership thereof. That it might appear for all time as a proper and correct transfer of properties duly owned and possessed by Major Symes, the counsellor Adolphus Phillips signed the deed with Major Symes as did likewise the two merchants, Capt. Ebenezer Wilson and Peter Faulconer. The deed therefore stood as a proper *conveyance,* from the Major, *certified* to by his attorney and counsellor-at-law, with the *added assurance* and responsibility affixed thereto of two prominent merchants then in active business in the Colony.

The special clause in the deed permitting the "ex-

change" by St. Andrew's Church of the twenty-six (26) acre plot of land, clearly establishes the fact that Major Symes fully understood *what land he owned,* as well as *what land he did not own.* It is likewise clear that St. Andrew's Church Corporation, which was composed of *local parties,* must also have fully known that the particular twenty-six (26) acre tract of land so conveyed to St. Andrew's Church *was owned by Major Symes.* It also implies that there was another tract of land nearby which *did not belong to Major Symes* but which might be more desirable for St. Andrew's Church purposes and for which the said Symes tract of twenty-six (26) acres might be "exchanged." Did William Tillyer, inspired by Major Symes' generosity, also make a gift of his ½ acre to St. Andrew's Church?

It is thought by some that St. Andrew's Church acted upon the privilege given to it by Major Symes in his deed and did dispose of the twenty-six (26) acre piece. If this be true then it is but an additional proof that the St. Andrew's Church Corporation at that time knew the title to be good in Major Symes and fully understood all of the facts of ownership or *else it never would have made its conveyance and attached its corporate signature thereto.* If that was done, where is the official record of that conveyance from St. Andrew's Church? If that was not done, where are the 26 acres of land?

The St. Andrew's Church Corporation's knowledge and participation in the transactions with Major Symes is a conclusive proof of the *bona fides* of the whole transaction. The conclusive elements involved

in this transaction alone without reciting other proof, are—

First, the act of taking possession of the lands by Major Symes and,

Second, the exercise by him and St. Andrew's Church of the highest prerogatives of ownership, that is,

(A) The segregation of a portion of his lands and,

(B) The sale thereof by proper deed of conveyance to St. Andrew's Church.

(C) St. Andrew's Church relations thereto and participation therein.

The plain provisions, conditions and limitations contained in the Major Symes' deed indicate that all of the parties to this transaction fully understood; First, what lands *the Major did own;* and Second, what lands in close proximity thereto *the Major did not own.* To such a conclusion and as proof of such knowledge the record shows the pledged responsibility and good faith, on the St. Andrew's Church deed not only of Major Symes, whose then high standing in the community is now established beyond cavil, but also the certificate of a counsellor-at-law, having a commission from the Crown. Added thereto was the pledged responsibility of two prominent merchants whose estates were then large and whose financial and moral responsibility was beyond question. The approval and acceptance of the transaction by St. Andrew's Church Corporation is in itself a sufficient estoppel of adverse criticism.

From that time until the present, the Symes Title has been maintained and actively asserted on Staten Island. Not a generation has since passed, in which active transactions have not been recorded on the pub-

lic records, thereby keeping alive the records relating to these titles and keeping the public fully advised.

Major Lancaster Symes was married in the latter part of seventeen hundred and eleven or in the early part of seventeen hundred and twelve, to Catherine, the widow of James Larkin. It is an interesting fact that his son Lancaster married a daughter of Reverend Johannas Lydius, a prominent clergyman of the Reformed Dutch Church in Albany.

His granddaughter, Catherine Symes, became the worthy wife of that eminent, highly respected and much beloved Assistant Minister of Trinity Church, Reverend John Ogilvy, whose sudden and pathetic death occurred from a stroke of apoplexy which attacked him at the close of the announcement of his text. His ministry was one of great power and influence.

While Queen Anne's reign appears from this record to have been very religious it was also considerably hilarious. In many ways it was very superstitious and its Court and Councils were scenes of constant political intrigue. It is not therefore strange that the untutored Indians were intolerant at a period when witches were burned by Christians and the slave mart also flourished in the City of New York! Some of the excesses of the natives may be counterbalanced by the municipality of the City of New York paying the bills for "the barrels of beer consumed when the parson ordained the deacon."

We read of devils rocking the beds on Staten Island, headless men strolling along its highways, angels supported on luminous clouds and carpenters' tools walking up and down its stairways. It is said that a Co-

lonial ghost made night hideous by prowling about under the trees along one of the brooks on Staten Island. All this indicates as much unscientific and inaccurate thinking in the earlier days of New York as in the Colony of Massachusetts.

The situation as to land titles on Staten Island and the descent of the same from the complete, conclusive title-in-fee held and owned by the English Crown has been for many years one of chaos and confusion arising from a strange misunderstanding of the facts and the absence or suppression of much knowledge on the subject. This situation apparently developed from a lack of access on the part of various individual counsel to vitally important data showing the proper and correct location of the original grants made by the English Crown to lands on Staten Island or the suppression of such information for sinister reasons. The Crown of England made many grants to lands on Staten Island prior to the twenty-seventh day of October seventeen hundred and eight, covering somewhat more than one half (½) of the Island.

On that day as hereinbefore recited, her Majesty, Queen Anne, made and issued to Major Lancaster Symes and his heirs and assigns forever a Royal Grant covering all of the vacant and unappropriated lands, meadows, woods, underwoods, minerals, lakes, lakelets, rivers and rivulets, waters, marshes, ponds and water courses in, on and about Staten Island not previously granted to other persons. The question of indefiniteness and uncertainty as to this grant to Major Lancaster Symes cannot now be in anywise successfully set up or pleaded, for the same has been conclusively established by good and sufficient proof.

It has been a fully recognized fact that a vast area of land, together with very extended shore fronts on Staten Island, *were comprehended* in the said Lancaster Symes grant. It was plainly the *intent* on the part of the Crown to so grant the said lands to Major Lancaster Symes. Such a Royal grant *was made* as is shown of record. The consideration was *ample,* and *the description is complete.* The Crown grants made prior to the Major Symes Grant, clearly indicate that such grants were made with the general topography and area of the said Island known and understood by the Crown solicitors. When the said grant was made to Major Lancaster Symes the Crown fully understood what it had already granted and fully comprehended what remaining lands and other values were included in this final grant to Major Lancaster Symes. No sane man would charge the English Crown with issuing Grants containing full legal terms and proper surveyors' descriptions when there was no knowledge of definite facts possessed by it to support the same. No charge of insanity or criminality would for a moment stand at the bar of history, indicting her Majesty the good Queen Anne, or Major Symes as conspirators in such arrant and reckless folly.

No representative member of the New York Bar has ever challenged the *bona fides* of the inception and original issue of this grant to Major Lancaster Symes. No legal or real estate authority, conversant with the facts, has ever traversed a vested record title in the Symes heirs or their successors in title. The Lancaster Symes grant as stated, originally comprehended substantially one half (½) of the area of Staten Island. *If it is true* that over one hundred and

fifty (150) grants covering all of the lands on Staten Island not granted to Major Lancaster Symes and comprehending one half (½) of the area of the said Island are subject to confusion and uncertainty as to precise location; *if it is true* that the blanket grant for all of the remaining lands on the Island which was issued by the Crown to Major Lancaster Symes is subject to similar uncertainty; *and if it is true* that because of such a condition a large proportion of the titles to lands now occupied on Staten Island are more or less subject to a cloud that is injurious to the marketability of such properties, then such a condition is a public calamity! Such a situation, if true, threatens the quiet and peaceable possession thereof by many present and future innocent parties claiming and believing that they have good title thereto. Such a condition is not relieved by any policy of title insurance if such a policy carries an "Exception" which may release the title insurance company issuing the same from protecting the insured against the actual and true owner.

It would be unfortunate to allow such a condition to continue. It would menace supposed owners, disquiet actual owners and would impede the proper and natural development of one of the most desirable and delightful residential boroughs in the city of New York. As time passes it becomes more difficult to remedy such a condition. It not only becomes extremely difficult and vexatious but also a fertile source of almost endless litigation.

Such a state of facts is alleged by various Title Companies to exist on Staten Island. This position is also taken by eminent representatives of the Bar. That there is good reason for such apprehension is

evident from the fact that many policies of title insurance, issued by leading and most conservative title companies covering land titles on Staten Island are said to contain in the "Exceptions" listed on the back of the said policies, clauses specially releasing such Title Companies from liability as against the Lancaster Symes Grant. In some cases this exception is cloaked in very obscure but none the less effective language.

A very prominent Title Company has in the public prints openly expressed the uneasiness caused by the existence of the Lancaster Symes land grant and its possible bearing upon lands being now sold or possessed on Staten Island. Such an attitude clearly indicates that uncertainty does prevail as to the location of the boundary lines of many if not all of the old grants. That Title Company referred to the Crown Grant to Major Lancaster Symes as "a Nightmare". That nightmare can now be and should have been long since dispelled by accurate legal descriptions and scientific precision in surveys, in justice to all and by methods that are consistent and approved by public conscience. Nightmares are hideous dreams! They generally originate from feeding on the indigestible and the victims should be rescued therefrom.

The title insurance companies of New York City have been to a very large expense and have devoted diligent efforts in collecting and organizing definite information relating to titles on Staten Island. The records show that the Symes heirs, their successors in title, together with others working in like interests including the American Title and Trust Company of Wilmington, Delaware, have expended over two hun-

dred and sixty thousand dollars ($260,000) and a vast amount of research work in efforts to establish beyond question the correct title record of all lands on Staten Island owned by the Symes interests.

This investigation has involved the *descent* of title and the mapping of every original grant issued on the said Island, together with the clear defining of the original rights of all such grantees in and to the lands on Staten Island originally granted by the English Crown.

The establishment of these basic facts is of inestimable importance to every property holder as well as to every public spirited citizen in the borough of Richmond, which borough comprehends Staten Island. It is important to all citizens interested in the development of Greater New York and the security in and to property rights therein that every property holder's rights should be properly safeguarded.

The American Title and Trust Company, of Wilmington, Delaware, now has available, for the proper use and benefit of the public, an abundance of proof to quiet and put at rest all reasonable doubt as to the extent and precise location of each and every original grant to lands on Staten Island. It also possesses an early official Colonial map of Staten Island made by the Government from official surveys and drawn to scale. The existence of this duly authenticated certified official map has been apparently entirely lost sight of. These proofs now flood with light a situation that has up to the present time been supposed by many to be as dark as midnight.

There is an enormous amount of original, genuine, and well preserved documentary proof of facts and conditions in Colonial history that has never been

made available to modern historians. This is especially true as relating to the period between the discovery of America and the close of the Revolutionary War, and up to the war of eighteen hundred and twelve. The wealth of historic information that remains in private ownership and that has never been collected, exposed and placed in view for the benefit of the public is sufficient to cause a radical revision of many historical libraries.

Special representatives of large and important property holders in New York City were within the past few years expressly sent to London and for months were in direct communication and conference with the English Government seeking a solution of the vexed question of titles to lands on Staten Island, but to no avail. A very prominent member of the New York Bar who was profoundly interested in the subject of Staten Island titles and who was not satisfied with the several prior failures to secure information from the British land office, made a personal trip to London and there with the benefit of the highest credentials devoted a large amount of time in a similar effort but with like futile results.

It has been the good fortune, however, of the American Title and Trust Company to secure after a lengthy, expensive and skilled research the long and expensively sought for evidence. It is now in a position of exceptional knowledge as to the original grant or grants underlying each and every piece of land on Staten Island. It is able to show the location and dimensions of every such original Grant as made by the English Crown. What is also of vast interest and great value, it possesses, as previously stated herein, the copy of an early comprehensive and official sur-

vey of the said Island, the existence of which is apparently unknown to the present authorities and other title companies. This map was apparently lost in the multiplicity of records and documents. It is now held by the American Title and Trust Company, authenticated in a manner that cannot be successfully controverted and is conclusive upon its very face.

The American Title and Trust Company therefore now holds in its possession a proper and correct solution of the problem of original land titles on Staten Island. It may be that to a certain extent the information it possesses may unfavorably affect some titles heretofore issued without any supposed flaw, while at the same time it may perfect titles now known to be defective. The American Title and Trust Company desires that any and all re-adjustments, which should and must eventually be made because of these final discoveries shall be made promptly and with the least possible disturbance and injury to present residents in good faith on Staten Island.

In order that *equity* and not *greed* should solve this problem, the American Title and Trust Company proceeded to the purchase of all of the rights, titles and interests of each and every owner in and to the Symes grant to lands and rights on Staten Island. It, at the same time, proceeded to acquire the above mentioned information relating to the early titles on Staten Island. It will seek by every proper and equitable means of co-operation with responsible title companies and parties claiming in good faith to own properties on Staten Island, to develop a policy and to pursue a plan of establishing titles on the Island in as fair and consistent a manner as circumstances will possibly admit.

This Symes grant descends to its present owners who are charged with the knowledge of the lofty principles that governed its issue, the high character of the one who received and transmitted it and to a company that has adopted as its platform, "Integrity of Purpose, Fidelity to Trust and Equity in Practice."

ADDITIONAL FACTS RELATING TO MAJOR LANCASTER SYMES' LAND GRANT.

There was nothing unusual or exceptional about the Crown Grant, which was made to Major Lancaster Symes of the English Army, who was very prominent in American Colonial affairs and a resident of the province of New York. The Blenheim Estate in England now contains one of the most costly and magnificent palaces in the world. It was granted to the Duke of Blenheim about two years previous to the Lancaster Symes land grant and for services rendered to the Crown of England at the battle of Blenheim, on the continent of Europe. A quit rent under the said grant was the delivery of an English flag as a tribute each year by the Duke of Blenheim to the Crown of England. One flag is even yet sent annually to Windsor Castle by the descendants of the original Duke of Blenheim. It is said that the Lipton Estates in England are held under an old Grant, one of the quit rent conditions being that when the King of England requires fagots to burn heretics Lord Lipton shall furnish them to the King from the Lipton Estate.

It is perfectly consistent that Major Symes should have received a grant for valorous services in the army and for valuable services to the Crown and to the Established Church. Major Symes' name appears in the Colonial records as a man of public affairs and of other large property interests as shown in the case

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POSTING NOTICE.

A Public Officer Posting on the Door of St. Andrew's Church the Order for Official Survey of Major Symes' Lands on Staten Island.

This order commanded the authorities to make the survey pursuant to a mandate of the Council confirmed by the Governor General.

It warned the public against any interference therewith. It also directed the sheriffs and other public officers to complete the survey with dispatch.

of the settlement of the boundary line between the provinces of New York and New Jersey where he appears as a holder of large properties other than on Staten Island. So also in matters relating to Westchester County, Orange County and the country in and about Albany, New York, and as set forth in the condensed Biographical Record of his life which is appended hereto.

The grant to Major Lancaster Symes was confirmed by the province of New York and his successors in title became the unquestioned, undisputed and fully recognized owner of the lands so granted to him on Staten Island of which he originally took possession as fully and completely as one man can take possession of such an extensive and diversified tract. He took actual personal possession of his Staten Island property and exercised every prerogative of ownership. His adjustment of property matters with another grantee on the said Island, his conveyance of the two pieces of land to St. Andrew's Church at Richmond as elsewhere herein more fully set forth and the conveyance, by his heirs, of lands under water for the Mersereau ferry several miles distant from Richmond, clearly exhibit his extended upland estate and his active control and ownership of water rights and his rights to lands under water. His supplying the British Army with bacon, and flax from his estate, his supplying the fire-wood for the garrison and fort of New York for several years, together with a joint certificate by several of his Staten Island neighbors, evidences his possession of his property and his utilization of his lands for commercial purposes. Official documents prove his actual personal presence on and possession of his lands on Staten Island. At one time it was officially

reported that "through the connivance of public officials" in the Province, certain impoverished people had been allowed to settle on lands belonging to Major Symes on Staten Island and that they were subject to ejectment which was proceeded with.

In the year seventeen hundred and twenty-two, Major Lancaster Symes obtained from the Colonial Government, as is fully shown on the public records, a warrant of survey for the defining and locating by the public authorities of the boundary lines of his lands on Staten Island.

To obtain such a survey, Major Lancaster Symes made a proper application for same, according to the law. Official notice of such application was duly posted by the authorities, for several weeks, on the door of St. Andrew's Church, on Staten Island, as provided for by statute. The notice set forth that such application for a survey had been made by Major Lancaster Symes according to law and the said proclamation gave public notice that if there were any objections to such a survey being made by the authorities for the location of the boundaries of the Symes grant, such objections should be filed with the authorities within a certain period prescribed in the said notice.

Pursuant to the privilege allowed under the said posted notice, objections to the making of the said survey were filed, as the project was a large and expensive one. The protests were considered in council and the public record shows that such objections were declared by another official proclamation to be "inadequate and insufficient" and a survey was ordered by proclamation to be made by the proper authorities for the locating of the said Symes lands.

Governor Dongan's Mansion, New York City.
It was leased for 14 years by Major Lancaster Symes for his city residence.

All officials and citizens were duly ordered in the said proclamation to aid and assist the said survey and not to obstruct or interfere with the same at their peril. A warrant for such a survey was issued on the twenty-fourth day of December, seventeen hundred and twenty-two, by Governor-general Burnet to Cadwallader Colden, the Colonial surveyor of the Province of New York.

Following this incident Major Symes was restored to his command at the cessation of the religious controversy that had disrupted the Colonial administration of public affairs and he re-entered active military life by becoming lieutenant of the independent companies stationed in New York, commanded by Captain Weims. This officer dying, Governor Burnet, in seventeen hundred and twenty-three, bestowed upon Major Symes the captaincy of the company of fusileers. Major Symes immediately embarked for England in order to have his appointment confirmed. In November following he returned with his commission to New York City where he took up his headquarters, having young George Ingoldesby, his nephew, as his first lieutenant.

On September nineteenth, seventeen hundred and nineteen, Major Symes was appointed Ranger for Orange County. Major Symes represented the County of Orange in the Assembly at Albany from September twenty-second, seventeen hundred and twenty-six, to the time of his death which occurred in the latter part of March or the early part of April, seventeen hundred and twenty-nine. The record shows that at his death he was Major Lancaster Symes of the British Army. He is spoken of in various documents and referred to in public papers at various

dates as Lieutenant, Captain and Major. Official records, however, dearly establish the fact that he was a Major in the British service, highly regarded and true to his highest ideals.

As previously stated, Major Symes married Catherine, the widow of James Larkin. She was about twenty-two years of age, at the time of their marriage. They had four children, from whom and through whom the descent of title to the Staten Island property has been fully and completely traced.

Major Symes in addition to his Staten Island and other country estates, had a fine vineyard on the Island of Manhattan, a short distance East of the present City Hall Park. He also for a long time, leased as his town residence the mansion owned by Governor Dongan on the Island of Manhattan, who, it appears was at times under considerable pecuniary obligations to Major Symes. The Major also owned property on Wall Street in New York City.

Upon the decease of Major Symes in Albany, the following information was sent in a letter written by Governor Montgomerie on April second, seventeen hundred and twenty-nine, to the Duke of Newcastle, *"I take this opportunity of a ship going to Bristol to acquaint your Grace that* MAJOR SYMES, *Captain of one of the companies here, is dead. The company being now at Albany I have ordered Lieutenant Nichols to command it."*

LET HIS NAME BE HONORED AND HIS RIGHTS PRESERVED.

PROPOSITIONS OF LAW

RELATING TO

CROWN GRANTS OF LAND.

AS every acre of Land on Staten Island bases its title on an English Crown Grant, the following propositions of Law will be of interest to every property holder on Staten Island.

In England land under water may be granted by the Crown. In England, at Common Law, the fee in lands under water, all lands covered by navigable water, that is water in which the tide ebbed and flowed, was in the Sovereign (King or Queen), and descended with the Crown.

A Grant is an act evidenced by Letters-Patent under the great seal granting something from the King or Queen to a subject.

The obligations of a contract consist in its binding force on the party who makes it. *This depends on the laws existing when it was made.*

In the acquisition of territory from another country the United States does not acquire title to lands under water which have been previously granted to other parties by the former government.

No title to the soil under navigable waters was conferred by the *constitution* upon the federal govern-

ment so far as the *original states* were concerned, but the title remained in the respective States.

It is a well established principle of *International* law that the inhabitants of a country are protected in their property rights notwithstanding a change of sovereignty.

The principle in respect to incomplete titles is that if a claim was such as would have bound the Conscience of the former sovereign to perfect the title and furnish the Evidence necessary to support and maintain it, the United States Government having acquired the territory would take it charged with the duty of carrying out in good faith the obligation of the previous government existing at the time of the cession.

The constitution refers to and preserves the legal not the moral obligations of a contract.

A legislative grant, being an executed contract, is within the constitutional prohibition.

Courts of law in the State of New York will look only to titles under patents from the State or the former *Colonial* government of the *Province of New York* when the same are based upon an English Crown Grant.

The right of eminent domain may be exercised by the State but in such case adequate compensation must be made.

The acts of Congress generally require a survey of the land by officers of the United States Land Office

as an essential step in the completion of title to lands claimed under Grants from former sovereignties.

A complete title under a former government might be successfully asserted against a claimant under the United States. Conditional warrants of land by the former Government have been invariably respected where there has been a bona fide attempt to perform the conditions and a partial performance may suffice where complete performance has been incomplete by causes beyond the control of the Grantee.

A Right under a former sovereignty to a *specific quantity of land in an area of a larger extent* constituted an equitable title and a property in the land and *until the Grantees' possession was restricted* by a segregation and location of the quantity granted *he was entitled to possession of all the land* within the general description of the grant as against third persons or persons claiming under the pre-emption laws of the United States. The Grantees might maintain ejectment before survey.

The location of a valid grant confirmed by the Departmental Assembly could not in any wise be affected by the circumstances that without any notice to the Grantee his grant was treated as forfeited and a part of the land embraced within the area of a tract was granted to another.

A variation in a survey of two or three miles over what may subsequently be determined to be the exact line of the littoral and border lines will not defeat titles acquired thereby, if when issued they were sup-

posed to be in conformity to the line and were not located in wanton disregard of the laws restricting titles in the territory embraced by the line.

Where a grant was made subject to conditions a compliance therewith was necessary to vest a complete legal title in the Grantee. A failure to comply therewith invalidated the Grant and the Government could grant the land anew.

A claim which was abandoned prior to the treaty of cession is not entitled to confirmation and a Grantee under a former sovereignty who has failed for a number of years to take possession of the land or to do any act showing an intention to comply with the conditions of the grant, must be presumed to have abandoned the grant as must also one who after taking possession for years and commencing compliance with the conditions has left the property and remained away and made no effort to fulfill the conditions for many years.

A statute confirming claims does not include claims previously abandoned.

Where a grant was annulled by the ceding sovereignty, while the land remained under its jurisdiction, a deed from a grantee to an American citizen conveyed no title.

Where water is navigable, whether or not within the ebb and flow of the tide, the public have a common right to use it for navigation as a public highway.

Long continued and uninterrupted use of a stream by the public for purposes of navigation constitutes it a public highway.

What constitutes reasonable use of a navigable stream depends upon the circumstances in each particular case. Regard must be had to the subject of the use, the occasion, and manner of its application, its object, extent, necessity, and duration.

No right except passage exists in the public above low water where the riparian owner *owns to the low water mark.*

An owner of upland has no right to trespass on the land of another for the purpose of reaching the navigable waters beyond.

Where the ownership in fee of that half of the street next to the river remains in the grantee *he* is the riparian proprietor.

A State has no more power to impair an obligation into which she herself has entered than she has to impair the contract of individuals.

All questions arising out of the grants and interests in real property derived from the Crown of England must be construed and determined by the laws of England as they existed prior to the American Revolution.

It has been judicially determined that "the Dutch surrendered New Amsterdam to Colonel Nicolls who with an armed force asserted the right and authority of the Duke of York and the Crown of England.

The common law of England entered the City with him."

The Constitution of the State of New York adopted in seventeen hundred and seventy-seven, declared "that such parts of the common law of England and the Statute laws of Great Britain as together did form the laws of the Colony on the nineteenth day of April, seventeen hundred and seventy-five, should be and continue the laws of this State."

The Constitution of the State of New York adopted in eighteen hundred and twenty-one, after declaring null and void all grants in the State made by the Crown of England after the fourteenth day of October seventeen hundred and seventy-five, provides, "but nothing contained in this Constitution shall affect any grants of land within this State made by the authority of the said King and his predecessors . . . before that day. Or shall affect any such grants . . . or any other suits, actions, rights of action or other proceedings, in courts of justice."

Mr. Thomas Jefferson laid down the following principles as a guide for the interpretation of Constitutional provisions, "On every question of construction we should carry ourselves back to the time when the Constitution was adopted; recollect the spirit manifested in the debates; and instead of trying what meaning may be squeezed out of the text, and invented against it, conform to the probable use in which it was passed."

Daniel Webster in his famous argument in the Dartmouth College Case laid down the following prin-

ciple of law: "To justify the taking away of vested rights there must be a forfeiture, to adjudge upon and declare which is the proper province of the judiciary. Attainder and confiscation are acts of sovereign power, not acts of legislation."

The Courts have decided that "a patent is conclusive against all whose rights commence subsequent to its date" and that "a patent to land is the highest evidence of title and is conclusive as against the Government and all claiming under junior patents or title, until set aside or annulled, unless it is absolutely void on its face."

Where a Crown Grant has been made for "all of the vacant and unpatented lands" in a properly described County, the legal bounds of which had been previously defined and established, or where such a Crown Grant has been made for "all of the vacant and unpatented lands" on an Island, the bounds of which are clearly set and fixed by nature itself, such a description cannot be held to be vague and uncertain.

If the said County or Island was at such time composed entirely of Crown lands, such a description would be sufficient to convey all of the said lands in the said County or on the said Island. If, however, Grants of a fractional part of said County or Island had been previously made by the Crown, then a final Crown Grant, covering "all of the vacant and unpatented lands" embraced therein, would be subject only to such previous grants as had been duly and properly issued by the Crown, recorded on the public records as provided by law and not forfeited or abandoned by the Grantees.

THE PUBLISHER'S STATEMENT

REGARDING

THE AUTHOR,

S. L. MERSHON.

The American Title and Trust Company has reserved this space for a Publisher's Statement which the Trust Company realizes will be of public interest especially on Staten Island.

The property rights and interests descending from the Lancaster Symes Staten Island Land Grant have been purchased by the American Title and Trust Company. These are far more extensive than the casual observer would presume could exist at the present time under one ownership on Staten Island. It is therefore of very great importance that the public should realize and fully understand who it is that is to direct the Trust Company's general policy in administering this vast estate and also the character and qualifications of the one called upon to bear such a responsibility.

The American Title and Trust Company, which was incorporated in nineteen hundred and nine, under the laws of the State of Delaware, has its principal office in the Dupont Building, in the City of Wilmington, State of Delaware. It possesses an exceedingly broad charter but has limited its operations almost entirely to a strictly Trust business. This policy has been successfully pursued under the advice of Mr. S. L.

S L. MERSHON.

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Mershon, who was elected its President at the time of its organization and still occupies that position. Mr. Mershon had been for many years prior to the incorporation of the Trust Company, identified with other organizations and interests in which the present owners of the stock of the Trust Company were deeply interested. In fact, Mr. Mershon has been intimately known to all of the officers and directors of the Trust Company, with one exception, for a period of over twenty-five (25) years.

His home, social, religious, commercial and financial life and relations have been at all times during that period "a wide-open book" to the directors and officers now associated with him. The unqualified and unanimous endorsement of Mr. Mershon's plans and methods by the stockholders, directors and officers of the Trust Company, is in itself a sufficient recognition of the supreme confidence reposed in him by the corporation of which he is the executive head.

It has been deemed proper, however, because of the new, large and important interests recently acquired by the Trust Company on Staten Island and the widespread public interest therein, that the public should be specially advised as to the Trust Company's experience with Mr. Mershon. It should also be made acquainted with his standing among those with whom he has done business in the past and his endorsement by that large circle with whom he has had close and important financial transactions and social relations.

The American Title and Trust Company well understands that Mr. Mershon will receive the unqualified confidence and good will of the public at large on Staten Island when it becomes acquainted with him and understands the motives and principles that in-

spire him. The Trust Company therefore submitted to the Publisher the following voluntary, widespread and emphatic letters of appreciation of Mr. Mershon which have come to the Company from men who represent large interests and stand for great principles in industrial, commercial and financial circles.

The Publisher of this work, by special appointment of the Trust Company, presents herewith extracts from its promiscuous and voluminous correspondence that entitle its President to the fullest confidence and consideration on the part of the public at large. The following are taken from recent original autograph letters now in the custody of the Trust Company, which letters cover Mr. Mershon's personal record, without a single break, for over thirty (30) years.

ONE OF THE MOST PROMINENT METALLURGISTS AND CHEMISTS IN AMERICA, whose integrity and standing are unimpeachable and whose opinions are authoritative in Banking circles, referring to Mr. Mershon and some exceedingly large undertakings which he had directed and guided, not only says,

> *"all of which have been proven to be of large commercial value and successfully operated,"* but adds, *"Mr. Mershon bears unqualified endorsements of the parties associated with him in such enterprises."*

AN UPSTATE BANKER writes,

> *"I have been in extensive and various negotiations and transactions with Mr. Mershon. I know that it is his purpose that his arrangements should always be just to all parties concerned."*

THE CASHIER OF THE LARGEST EXPORT COMPANY of its kind in the United States writes,

> *"For a number of years I was the head accountant and office manager in Mr. Mershon's office. During that period my position was a confidential one and his transactions covering the handling of large sums of money, much of which were trust funds, were known to me. In all the years I was with him I never knew him to make an unjust charge on his books nor an unfair contract. He was at all times, frank, candid, just and truthful, in all his dealings. I never knew him to wrong anyone and his accounting of trust funds was always made fully, frankly and accurately. I consider Mr. Mershon a man of absolute integrity, his associates have always been of the best social and moral standing. To have been connected with him as I was at that time I regard as both a privilege and a pleasure."*

A REAL ESTATE INVESTOR records the following,

> *"I have known Mr. Mershon very intimately for many years and know his home life, the people with whom he is very closely related and the high esteem in which he is held in the community in which he lives. Mr. Mershon is a man of good conscience, loyal to the interests entrusted to him and true to his sense of right."*

THE FOLLOWING is an excerpt from a letter written to Mr. Mershon FROM ONE OF THE MOST HIGHLY ESTEEMED EX-TREASURERS of the UNITED STATES OF AMERICA.

He was Treasurer under three Presidential Administrations.

> *"You deserve to have your undertakings successful."*

THE FOLLOWING is from a letter written by A COLLEGE PRESIDENT, whose name and reputation is national.

> *"My dear Friend Mershon. It would be a great pleasure to be associated with you in business. I do not forget how delightful was the association with you in religious work. I wish you every success in every righteous cause to which you devote your fine powers."* (Intimate, friendly, personal relations have existed between this College President and Mr. Mershon for thirty years.)

A COLLEGE EX-PRESIDENT of wide standing, in writing to Mr. Mershon, states,

> *"I congratulate you on the progress being made in your brave fight for financial righteousness and independence."*

A RETIRED CAPITALIST of large wealth and for whom Mr. Mershon has handled during the past fifteen years hundreds of thousands of dollars of Trust funds, recently stated in a letter now before us,

> *"I would not hesitate to place my own proxy in Mr. Mershon's control or otherwise have him represent me, believing that he would at all times subordinate any private interests to the interests of the corporation as a whole. In his transactions with me during these years he has shown*

fidelity to trust, loyalty to the interests entrusted to him and the exercise of the ability required. He is a man of integrity, his habits are good and his personal expenditures reasonable. I have always found Mr. Mershon loyal to what he believes to be right and fearless and determined in the support of same. Mr. Mershon has not fallen below the standards he has set for himself."

A MEMBER OF THE EXECUTIVE FORCE of one of the largest electrical companies in the United States, in writing of Mr. Mershon states,

"I know him very intimately. I unqualifiedly recommend him."

THE CAPITALIST of one of the largest IMPORTING HOUSES in the South writes to Mr. Mershon,

"Be assured that if I can be of any service to you in any way down here I will gladly do it."

A GENTLEMAN WHO WAS FOR A LONG TIME an occupant of one of the suite of offices occupied by Mr. Mershon writes,

"I was in constant contact with the clients who visited him and with whom he did business. I have known Mr. Mershon intimately for a long time. In all of my acquaintance with him in the office, his integrity and fair dealings were beyond reproach. He has my implicit confidence and he will not be untrue to any confidence reposed in him."

A BANKER who is a member of one of the prominent Banking houses of New York City states,

> *"I have known Mr. Mershon as a friend and neighbor for the past fifteen years and have always held him in the highest esteem. It is a pleasure to commend him."*

THE PRINCIPAL OF A NEW YORK CITY HIGH SCHOOL states,

> *"Mr. S. L. Mershon has my fullest confidence as to his ability, energy and integrity. I have known him and his family for many years and esteem them highly."*

A MECHANICAL, MINING AND CIVIL ENGINEER, a member in high standing of one of the two most prominent engineering associations in Great Britain, writes,

> *"I have had very extensive relations with Mr. Mershon for many years covering various business enterprises. I know Mr. Mershon very intimately and esteem him very highly as a man of high character, truthfulness and ability. It is a very great pleasure to state this. I have never known him by word or deed to do anything inconsistent with high integrity and most unexceptionable conduct."*

A MEMBER OF THE STAFF of a periodical magazine published in New York City writes,

> *"I have personally known Mr. Mershon intimately for about twenty years. He has conferred with me on a great many occasions and has con-*

fidentially gone over his affairs with me several times very fully, to the extent of submitting his documents and correspondence to me so that in the event of his death I would be fully advised as to the status of business in his office and could see that every interest he represented was properly taken care of. Mr. Mershon has always been open, and frank with me to the very extreme. I have had free access in a confidential capacity to his files, both letters and contracts. I know his family connections and also his social environment. I do not hesitate to say that I consider Mr. Mershon a frank, truthful and positively reliable man, worthy of all confidence as to ability and integrity."

A VERY PROMINENT MEMBER OF THE PENNSYLVANIA BAR writes,

"It has been my privilege to be in close relations with Mr. Mershon covering an extended period of time. On all occasions I have ever found him to be frank, truthful and sincere. HE IS A MAN WHO HATES FRAUD, SCORNS GRAFT AND BELIEVES IN A SQUARE DEAL FOR EVERYBODY."

ONE OF THE MOST PROMINENT CLERGYMEN in the State of New York says over his signature,

"I have known Mr. Stephen L. Mershon from his boyhood. I have watched his business career with interest. Energetic, fearless, wise and so honorable that he would rather lose a fortune than do a dishonest thing. With all his experience he is a most desirable man to deal with."

A BANK DIRECTOR and A HEAVY MANUFACTURER IN NEW JERSEY, referring to both his and Mr. Mershon's former identification with a large manufacturing industry, remarks,

> *"Mr. Mershon had the highest confidence of the Firm until he voluntarily severed his connections with them. He subsequently went into competition with them, they, however, entertaining toward him a warm personal friendship up to the time of their decease. Mr. Mershon had a flawless record with that house."*

A MEMBER OF A VERY PROMINENT MANUFACTURING COMPANY in New York City places in correspondence the following,

> *"I am very glad of the opportunity to say a word to show my high esteem for my friend and next door neighbor, Mr. Stephen L. Mershon. I have known Mr. Mershon for a period of sixteen years more or less intimately and have always found him to be a perfect gentleman, highly educated and cultured. He is a clever writer, being the author of more than one book. He is a man of marked religious tendencies, being a leading member of a local Church. No one could have proved a more genial neighbor than Mr. Mershon to me. I am glad to wish him all the success that is due him."*

THE PRESIDENT OF A VERY POWERFUL NATIONAL BANK IN NEW YORK CITY, in writing to Mr. Mershon, expressed himself as follows,

"I congratulate you on the high esteem in which you are held by those who have had financial dealings with you and it must be a source of very great gratification to you, notwithstanding what may be said to the contrary, that you have letters which prove beyond any question the high character of all of your financial dealings."

THE CASHIER OF A PROMINENT NATIONAL BANK IN PENNSYLVANIA wrote Mr. Mershon as follows;

"I would feel safe in entering into any enterprise when your name stands at its head. I wish you unbounded success which I feel sure will crown your efforts."

THE PRESIDENT OF A POWERFUL NATIONAL BANK IN THE SOUTHWEST writes,

"I have known Mr. Mershon to be at all times a high-minded man of unimpeachable integrity and purpose of life."

THE SECRETARY of a representative Trust Company, in writing of his former financial connections in the East, says that,

"Among my most pleasant recollections is my acquaintanceship at that time with Mr. Mershon who was identified with the same interests."

A BUSINESS FIRM, in speaking of the American Title and Trust Company's prompt and decisive intervention in their behalf, under Mr. Mershon's direction, in saving that Firm from overwhelming disaster, refers to the

prompt and efficient intervention," and the *"elimination of serious complications"* and the putting of their matters in *"sound business condition."* The Firm further states that they *"have been more than satisfied with the methods of doing business and with the unvarying adherence to agreements, both verbal and written, entered into by Mr. Mershon for the Trust Company."*

A MEMBER OF ONE OF THE MOST POWERFUL BANKING HOUSES ON WALL STREET refers to Mr. Mershon as,

"My near neighbor for sixteen years; a gentleman of character and business integrity."

A GENTLEMAN PROMINENTLY IDENTIFIED WITH ONE OF THE OLDEST AND WEALTHIEST BANKS IN NEW YORK CITY referring to Mr. Mershon, with whom he has been acquainted for over fifteen years, declares that,

"I can testify that Mr. Mershon bears the character of a good citizen of the town."

The foregoing commendatory letters are very recent, and, as previously stated, cover without a break Mr. Mershon's business career for thirty consecutive years and down to the date of the publication of this narrative. They are the frank statements of representatives of the highest social, commercial, and financial circles.

It is sufficient to add that the plans, purposes and policy of the American Title and Trust Company, in relation to its Staten Island interests as represented by Mr. Mershon, will be in accord with the highest

standards of commercial ethics and conducted in a manner that will meet the approval of those who believe in the application of old fashioned principles to modern problems.

THE PUBLISHER.

BIOGRAPHICAL RECORD

(Abridged)

OF

MAJOR LANCASTER SYMES

IN

AMERICA.

1690. Lancaster Symes arrives in New York on ship "Beaver."

1691. Symes and others demand the surrender of the New York Fort.

1692-3. Symes stationed with troops in Albany.

1692. Symes goes to the relief of Major Peter Schuyler, in a campaign against the French and the Indians.

1693. Symes returns to New York and is sent to Suffolk County to enlist its quota of troops.

1693. Symes is dispatched to England to recruit soldiers for Grenadier Guards stationed at New York and Albany.

1694. Symes marries Catherine De Haart in the New York Dutch Church.

1697. "The Parish of Trinity Church" incorporated and granted the partially completed Church and burying ground around it.

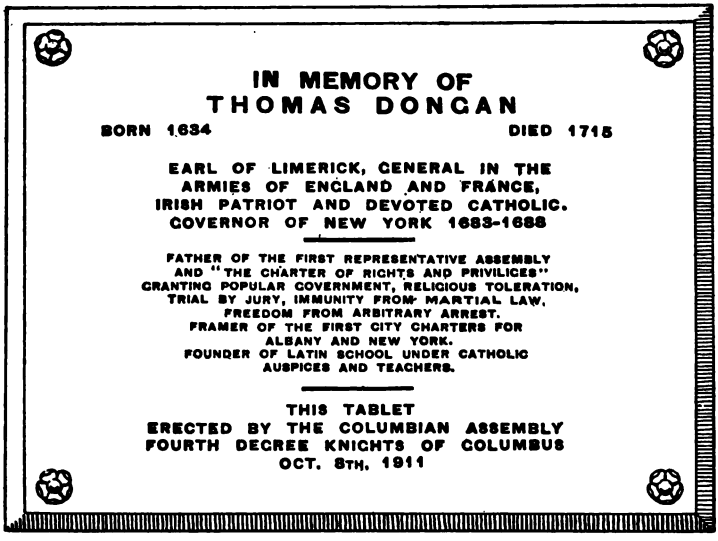
1698. Dongan's mortgage on "Whitehall" surrendered by Symes in exchange for a fourteen year lease of same at a rental of one pepper corn a year.

1698. Symes is relieved of command as lieutenant because of change of political party control of administration in the Province.

1699. Symes buys negro boy of Captain Kidd.
Symes elected vestryman of Trinity Church.

1701. Symes is awarded the freedom of the City of New York.

1701. Symes, military commissioner at a conference with the Six Nations at Albany.



TABLET ON ST. PETER'S ROMAN CATHOLIC CHURCH, NEW YORK CITY.

St. Peter's Church is located on land originally granted by Queen Anne to Trinity Church.

St. Peter's Church owns the site on which the church stands, but it pays rental to Trinity Church for the land on which its church house is erected.

This house lot has not changed ownership since the day on which the Grant was made by Queen Anne.

Dongan Hills on Staten Island were named in honor of Governor Dongan.

1702. Symes with Robert Walters, Cornelius De Peyster, Caleb Heathcote, Mathew Clarkson and others obtain a grant of land in Westchester County (West patent of North Castle).

1702. Symes returns to Albany in the suite of Edward Hyde, the newly appointed Governor and who later became the Earl of Clarendon.

1702. Queen Anne ascends the throne of England.

1703. Queen Anne Approves of Bellamont's plan to provide missionaries for the American Indians, and refers it to the Archbishop of Canterbury for execution.

1703. Symes becomes one of the grantees in the Minisinck Patent to lands in Orange County.

1704. Reverend John Vesey's report of state of religion on Staten Island made to the Society for the Propagation of the Gospel in Foreign Parts.

1704. First Preacher is sent to Staten Island.

1704. Symes becomes Public Appraiser for New York.

1704. Symes leaves vestry of Trinity Church.

1705. Symes again becomes vestryman of Trinity Church.

1705. Royal Grant of the "Queen's Farm" on Manhattan Island is made by Queen Anne to Trinity Church.

1705. Symes obtains a contract to furnish fire wood to the garrison at Fort Anne.

1706. Symes is commissioned to audit the accounts of H. M. S. Triton's Prize.

1707. Symes secures a grant of land in the town of Monroe, Orange County, N. Y.

1707. Symes supplies fire wood under long term contract, to the Fort of New York.

1708. Edward Hyde removed from office of Governor of New York but is detained in the City by his creditors until Symes pays Hyde's entire indebtedness.

1708. Symes secures a grant of land in Clarkson near Haverstraw, New York.

1708. The parish of St. Andrew's is founded on Staten Island.

1708. Symes receives from Queen Anne a Grant of all of the Crown lands on Staten Island.

1708. Symes records at Richmond, Staten Island, his de-

from Queen Anne for all Crown lands on Staten Island.

1709. Symes is commissioned to take account of the provisions on board the several vessels in the harbor of New York.

1709. Symes is commissioned Ranger of Orange County.

1709. St. Andrew's Church on Staten Island, Construction commenced.

1711. Symes grants land to St. Andrew's Church Corporation for a Church on Staten Island.
("133 acres for a Church of England.") ("26 acres" for glebe lands.)
This deed was delivered to St. Andrew's Church Corporation on the date and at the time of its issue but was not recorded by it until 1718.

1711. Tillyer, William, (and wife) gave to St. Andrew's Church "for a Church and graveyard" about half an acre of land. (This was given after Symes' gift of 159 acres.)

1711. Symes sends lumber for a military expedition against Canada.

1711. Symes contributes toward the completion of the Steeple of Trinity Church.

1712. Council orders that the Patent to Lancaster Symes be investigated.

1712. Queen Anne provides a mission among the Mohawk Indians and contributes a Silver Service and other gifts for their use.

1713. Queen Anne grants to St. Andrew's Parish her perpetual Royal Charter.

1713. St. Andrew's Church "formally presented to the Parish by Queen Anne as head of the realm and Church."

1713. Lancaster Symes petitions Council for a confirmation of title to a lot of land on Dock Street, New York City, purchased by him from Ebenezer Willson and Benjamin Ashe. The petition was granted.

1713. A confirmatory patent is granted to Symes by the Council after investigation ordered in 1712.

1714. Death of Queen Anne.

1714. King George gives Patent to St. Peter's Protestant

Episcopal Church, Albany, N. Y. He seals it with Queen Anne's seal and adorns it with her vignette.

1715. St. Peter's Protestant Episcopal Church at Albany built.

1716. St. Peter's Church, the first English Church in Albany, is opened for worship.

1723. Symes is made Captain of the Fusileers stationed at Albany.

1723. Symes goes to England to receive commission of Captain of Fusileers and returns the same year.

1723. Symes resides in New York City, upon his return from England.

1724. Symes resides in New York City.

1725. A Petition is sent by Captain Henry Holland and Major Symes (wardens of St. Peter's Church at Albany) to the Society for the Propagation of Religion in Foreign Parts, requesting that a minister be sent to St. Peter's Church.

1726. Symes represents Orange County in the Assembly at Albany (continues to represent that County until his death in 1729).

1727. Symes collects funds for St. Peter's Church expenses.

1729. Lancaster Symes, Jr., marries Margaret Lydius, a daughter of Reverend Johannes Lydius of Albany.

1729. Death of Major Symes in Albany.

STATEN ISLAND LITERATURE.

The Colonial History of Staten Island is replete with incidents of intense, thrilling and unique interest. Constituting as it now does one of the boroughs of the city of New York and within easy access from the heart of the metropolis, Staten Island should and would become an established route for a greatly increased tide of tourists were the knowledge of its charms both historic and scenic more widely disseminated.

The author of this book, moved by his quickened interest in the history of Staten Island, caused by his investigation into the life, times and circumstances of Major Lancaster Symes, desires to call special attention to the following interesting and instructive literature now available for purchase or accessible in the public libraries of the various boroughs of the city of New York.

An acquaintance with the literature referred to will open up a field of intense interest, to all who are imbued to any degree with the spirit of our forefathers.

The author also specially recommends that when possible, persons who are interested in Staten Island and its history should visit the exceedingly interesting Museum in New Brighton (St. George's), Staten Island, maintained by the Staten Island Association of Arts and Sciences. The Historical, Geological, Botanical, and other exhibits there collected and relating to Staten Island and open to the inspection of the public, will richly repay a visit

thereto. The bulletins heretofore issued by as well as those continually issuing from that Association and containing an account of the proceedings of the Staten Island Association of Arts and Sciences will be found very interesting reading. They will prove a valuable and important addition to the library of any scholar who is interested, as all American scholars should be, in the remarkable history and unique characteristics of this exceptional borough in the City of New York.

The pleasure and benefits derived from a tour of Staten Island will be many times enhanced by the constant use of the "Historical Guide to the City of New York" issued by the City History Club of New York City. Staten Island is referred to therein as "Historic Richmond" as it constitutes the entire County of Richmond.

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WORTHY OF A CORPORATION SUBSCRIBING

as

A TRUST COMPANY.

AMERICAN TITLE AND TRUST COMPANY,

By S. L. MERSHON,

President.

Attest:

RANDOLPH R. BEAM,

Assistant Secretary.

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